



# Journal of the Senate

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## CALL TO ORDER

The Senate was called to order by President Haridopolos at 10:00 a.m.  
A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Excused: Senator Bullard; Senator Rich after 5:00 p.m.

## PRAYER

The following prayer was offered by Rev. Robert W. Jakoby, Director, Pastoral Care, Baptist Health of South Florida, Miami:

Almighty God, creator of heaven and earth, we come before you with humbled hearts and a spirit of gratitude for your love, kindness, and mercy that you give to us each day. Heavenly Father, we confess in the daily struggles of living, both personal and professional, that we sometimes fail in acknowledging you and your desire to guide us.

Sovereign God, I pray this day for every member of this Senate. As these elected officials face enormous financial, moral, and ethical decisions, we ask for your direction. You already know the task they face. May they allow you to work in and through them as they work collectively to do what is best for the people of Florida.

God, give them understanding that your wisdom is far greater than human wisdom; your strength is stronger than that of any man; your insight surpasses man's finite thinking. We acknowledge your sovereignty and ask you to guide them as they face the multitude of daily issues — issues that are overwhelming to them, but are not a problem for you.

Help each Senator to know you have a plan and purpose for his or her life individually, as well as for this great State of Florida. Help each one to do what is honorable and pleasing in your sight.

Loving God, bless and protect Governor Scott, and each of the elected officials and their families from all harm.

In your precious and holy name, I pray. Amen.

## PLEDGE

Senate Pages Lauriel Stewart, great niece of Senator Joyner, of Tyrone, Georgia; Tayler Uselton of Palmetto; Sarah Stanley of Inverness; and Jacob Morello of Tampa, led the Senate in the pledge of allegiance to the flag of the United States of America.

## ADOPTION OF RESOLUTIONS

On motion by Senator Dean—

By Senator Dean—

**SR 2082**—A resolution recognizing Citrus High School on the occasion of its 100th anniversary celebration and congratulating the students, faculty, administration, and staff of Citrus High School on achieving and maintaining an “A” grade from the Florida Department of Education.

WHEREAS, the history of Citrus High School can be traced back to the late 1800s to a wood-frame school building in Inverness, where a teacher taught chart class to sixth grade, and

WHEREAS, construction of the first Citrus High School was authorized in 1911 and a two-story brick schoolhouse was built at a cost of \$12,560 on Citrus Avenue, and

WHEREAS, while the new school building was originally intended to serve only high school students, it served the entire student population in grades 1 through 12, and

WHEREAS, in 1920, the Board of Public Instruction approved construction of a new school on the corner of Main Street and Line Avenue, which was completed in 1921 but was abandoned a short while later due to structural problems, with classes resuming in the original building, and

WHEREAS, in 1930, a new school building was completed on the site of the failed structure and the school received accreditation from the State Board of Education as a 4-year high school, and

WHEREAS, in 1985, an electrical fire destroyed most of the structure, prompting a rebuilding project that continued until 1992, and

WHEREAS, in 2008, Citrus High School received its first “A” school designation from the Department of Education and is once again designated an “A” school for the 2010-2011 school year, with a current enrollment of 1,556 students, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize Citrus High School on the occasion of its 100th anniversary celebration and congratulate the students, faculty, administration, and staff of Citrus High School on achieving and maintaining an “A” grade from the Florida Department of Education.

—was introduced out of order and read by title. On motion by Senator Dean, **SR 2082** was read the second time in full and adopted.

## APPEAL OF RULING ON POINT OF ORDER IN COMMITTEE

**Senator Thrasher:** In the Committee on Health Regulation meeting on Monday, April 4, **SB 1590** by Senator Hays was left pending due to a point of order on amendment (330054) by Senator Bennett. Senator Gaetz raised a point of order that the amendment was not germane “because it is an undue expansion of the core purpose of the bill and raises new issues and is therefore out of order.”

Senator Garcia, Chair of the Committee on Health Regulation, ruled the point well taken and the amendment out of order. Senator Bennett then appealed the ruling of the Chair to the President.

Senator Hays’ original bill established a process that required the Board of Medicine to issue a certificate to persons wishing to be expert witnesses in medical malpractice cases. That was the bill’s entire purpose. Its relating-to clause was “An act relating to medical malpractice actions.”

The principal substance of Senator Bennett’s amendment expanded the scope of practice for optometrists, registered nurse practitioners and certified registered nurse anesthetists. The amendment also included a title amendment that changed the bill from an “An act relating to medical malpractice actions” to “An act relating to health care.”

It has been Senate practice to apply three tests to determine whether an amendment is germane.

- Is it the same subject as the original measure?
- Is it a natural and logical expansion of the subject matter of the original proposal? and
- Does it avoid raising a new, independent issue?

Within the context of these principles, it is my conclusion that the amendment by Senator Bennett was not a natural and logical extension of the provisions in the original bill and that it introduced new subject matter, namely, the enlargement of the scope of practice of the specified medical professions.

Also, an amendment that requires a change in the “relating-to” clause of a bill’s title suggests that the substance of the bill has been materially expanded or altered in some important way beyond its original purpose.

Therefore, Mr. President, it is my recommendation that the ruling of Chair Garcia that the amendment was not germane be upheld.

The President concurred with the recommendation of Senator Thrasher, Chair of the Committee on Rules, and the Amendment (330054) was ruled out of order.

## BILLS ON THIRD READING

**SB 2000**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2011, and ending June 30, 2012, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—as amended April 6 was read the third time by title.

## MOTION

On motion by Senator Negrón, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Negrón and Benacquisto offered the following amendment which was moved by Senator Negrón and adopted by two-thirds vote:

### Amendment 1 (995078)—

DELETE INSERT

AGENCY FOR HEALTH CARE ADMINISTRATION  
Program: Health Care Services  
Medicaid Services To Individuals 68501400

In Section 03 On Page 046  
177 Special Categories 101582  
Hospital Inpatient Services IOEE

1000 From General Revenue Fund 10,370,308 8,970,308  
CA -1,400,000 FSI2 -1,400,000

ELDER AFFAIRS, DEPARTMENT OF  
Program: Services To Elders Program  
Home And Community Services 65100400

In Section 03 On Page 080  
383A Grants And Aids To Local Governments And 140080  
Nonstate Entities - Fixed Capital Outlay  
Grants And Aids - Senior Citizen Centers IOEM

1000 From General Revenue Fund 1,400,000  
CA 1,400,000 FSI1 1,400,000

Insert proviso immediately following Specific Appropriation 383A:

From the funds in Specific Appropriation 383A, \$1,400,000 from recurring general revenue funds is provided for the construction of the Glades

Community Senior Center in Belle Glade.

## MOTION

On motion by Senator Alexander, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Dean offered the following amendment which was moved by Senator Alexander and adopted by two-thirds vote:

### Amendment 2 (995079)—

	DELETE	INSERT
CHILDREN AND FAMILY SERVICES, DEPARTMENT		
OF		
Services		
Program: Mental Health Program		
Mental Health Services 60910506		

In Section 03 On Page 071

DELETE the proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

Insert proviso immediately following MENTAL HEALTH SERVICES:

From the funds in Specific Appropriations 310 through 314, expenditures for Florida State Hospital are reduced by 10 percent for its civil commitment component and 7 percent for its forensic commitment component, expenditures for Northeast Florida State Hospital are reduced by 10 percent, and expenditures for North Florida Evaluation and Treatment Center are reduced by 7 percent in Fiscal Year 2011-2012 compared to Fiscal Year 2010-2011 expenditures. In order to implement these budget reductions, the department may realign funds between the civil and forensic component pursuant to chapter 216, Florida Statutes. These mental health treatment facilities shall meet the same performance measures and standards as required by contractual agreement with outsourced civil and forensic mental health treatment facilities. Such performance measures and standards shall be based upon comparable resident populations. The department shall submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives no later than 45 days after the end of each fiscal quarter in Fiscal Year 2011-2012. These reports shall show the expenditure levels for each mental health institution compared with the comparable fiscal quarter in Fiscal Year 2010-2011, and show performance on each performance measure and standard for each mental health institution, both state operated and contracted. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than February 28, 2013, with recommendations on institutional mental health services, both state operated and contracted for Fiscal Year 2013-2014.

On motion by Senator Alexander, **SB 2000** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Hill	Siplin
Detert	Jones	Smith
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Margolis	Wise

Nays—6

Braynon	Montford	Sachs
Joyner	Rich	Sobel

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2000** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 4th District*

**SB 2002**—A bill to be entitled An act implementing the 2011-2012 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2011-2012 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds between appropriation categories to fund fixed capital outlay projects for public schools upon certain approval; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; providing requirements relating to implementing phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; requiring certain budget amendments recommending the release of

funds to provide more notice and be subject to certain objection procedures; prohibiting an appropriation to pay for the lease of unneeded space due to reductions at the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under the authority of the respective entity; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 945.025, F.S.; requiring the Department of Corrections to obtain certain approval before closing any correctional institution; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring that the Department of Juvenile Justice comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 44.108, F.S.; authorizing use of moneys in the Mediation and Arbitration Trust Fund as specified in the General Appropriations Act; relieving the state court system of certain loan repayment obligations; authorizing the chief justice to request a loan under certain circumstances; creating the Judicial Caseload Incentive Plan; providing the purpose, performance goals, and financial awards of the program; requiring a report to the Legislature; amending s. 282.709, F.S.; allowing funds from the State Agency Law Enforcement Radio System Trust Fund to be used for mutual aid buildout maintenance and sustainment; requiring the Department of Management Services to issue a competitive solicitation for the Statewide Law Enforcement Radio System by a certain date and award the contract by a certain date; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis using certain data; amending s. 253.034, F.S.; authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants to certain counties for solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; providing that the disposition of state-owned lands is exempt from appraisal requirements and disposition requirements under certain circumstances; requiring state agencies to provide a list of lands that are immediately available for lease or are surplus lands; requiring that the proceeds from the sale of such lands be deposited into the Florida Forever Trust Fund; authorizing the transfer of funds and positions to implement the transfer of certain agencies and offices; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing funds in the State Transportation Trust Fund to be used for the County Incentive Grant Program, the Small County Outreach Program, the Transportation Regional Incentive Program, and certain transportation project contracts; providing for all vehicles within the Office of Motor Carrier Compliance to be transferred to the Department of Highway Safety and Motor Vehicles without the payment of certain fees; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; creating the Florida Base Realignment and Closure Task Force; specifying the mission of the task force; providing for membership; requiring a progress report and work plan; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing that the state contribution toward the cost of a plan is the difference between the overall premium and the employee contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; providing that the annual salary of the members of the Legislature be reduced by a specified percentage; reenacting and amending s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement

the transfer of moneys in the General Revenue Fund from trust funds in the 2011-2012 General Appropriations Act; reenacting and amending s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; authorizing agencies scheduled for data center consolidation to accelerate such consolidation; authorizing the establishment of data center positions in exchange for agency positions placed in reserve; authorizing an agency to transfer funds in order to support its e-mail system until its system is transferred to the statewide service vendor; authorizing the Executive Office of the Governor to transfer funds between agencies in order to allocate a reduction relating to SUNCOM; authorizing the Executive Office of the Governor to transfer appropriations into categories for the purpose of tracking American Recovery and Reinvestment Act funds; amending s. 216.292, F.S.; authorizing the Executive Office of the Governor to recommend the initiation of fixed capital outlay projects funded through the American Recovery and Reinvestment Act of 2009; amending s. 216.212, F.S.; requiring a state agency or the judicial branch to pursue federal funds and notify the Legislative Budget Commission of any decision regarding the receipt of such funds; providing that failure to provide such notice will result in the placement of an equal amount of the agency's or judicial branch's budget into mandatory reserve for the remainder of the fiscal year; reenacting s. 110.12315(7)(a), F.S., relating to copayments for the state employees' prescription drug program; directing the Department of Management Services to use a tenant broker to renegotiate all leases involving multiple state agency tenants; requiring a report to the Legislative Budget Commission; requiring the department to renegotiate certain leases in order to achieve a reduction in cost and provide a report to the Governor and Legislature on such activities by a certain date; requiring the department to issue a solicitation for the Minnesota Multistate Contracting Alliance for Pharmacy agreement as a state term contract; requiring the department to use generic drugs were feasible in developing its preferred drug list; requiring the Agency for Health Care Administration to repurchase the Florida Discount Drug Card Program; providing requirements for the program; providing that revenues derived from the contract be deposited into the agency's Grants and Donations Trust Fund; providing that a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state is eligible to participate in and receive Title XXI-funded coverage from the Florida Kidcare program if the child is otherwise eligible; amending s. 409.814, F.S.; deleting a provision that prohibits a child who is eligible for coverage under a state health benefit plan on the basis of a family member's employment with a public agency in the state from receiving Title XXI-funded premium assistance for health benefits coverage under the Florida Kidcare program; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for reversion of statutory text of certain provisions; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—as amended April 6 was read the third time by title.

On motion by Senator Alexander, **SB 2002** as amended was passed and certified to the House. The vote on passage was:

#### Yeas—33

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Dean	Hill	Simmons
Detert	Jones	Siplin
Diaz de la Portilla	Latvala	Storms
Dockery	Lynn	Thrasher
Evers	Margolis	Wise

#### Nays—6

Braynon	Rich	Smith
Joyner	Sachs	Sobel

Vote after roll call:

Yea to Nay—Montford

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2002** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 4th District*

## SENATOR WISE PRESIDING

**SB 2120**—A bill to be entitled An act relating to K-12 education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.25, F.S.; requiring that the Department of Education provide a means of extending educational services through educational television or other electronic media; amending s. 1001.271, F.S.; requiring that the Commissioner of Education facilitate and coordinate the use of the Florida Information Resource Network by school districts, educational institutions in the Florida College System, state universities, and other eligible users; amending s. 1001.28, F.S.; deleting a reference to the Florida Knowledge Network as it relates to the department's distance learning duties; amending s. 1001.451, F.S.; revising provisions relating to incentive grants for regional consortium service organizations; authorizing regional consortium service organizations to use various means to generate revenue for future activities; amending s. 1002.33, F.S.; revising provisions relating to charter schools; providing for an additional student population to be included for enrollment in a charter school; providing that a charter school system may be designated as a local educational agency for funding purposes if certain requirements are met; amending s. 1002.34, F.S.; conforming a cross-reference; amending s. 1003.01, F.S.; redefining the terms "core-curricula courses" and "extra-curricular courses"; amending s. 1003.03, F.S.; deleting a reference to the State Constitution regarding class size maximums; requiring that class size maximums be satisfied on or before the October student membership survey each year; requiring that the class size maximums be maintained after the October student membership survey unless certain conditions occur; providing that a student who enrolls in a school after the October student membership survey may be assigned to classes that temporarily exceed class size maximums if the school board determines that not assigning the student would be impractical, educationally unsound, or disruptive to student learning; providing for a specified number of students to be assigned above the maximum if the district school board makes this determination; requiring that the district school board develop a plan providing that the school will be in full compliance with the maximum class size requirements by the next October student membership survey; requiring that the Department of Education identify from the Course Code Directory the core-curricula courses for the purpose of satisfying the maximum class size requirement; authorizing the department to adopt rules; amending s. 1004.02, F.S.; revising the definition of the term "adult student"; creating s. 1006.282, F.S.; authorizing each district school board to designate schools to implement a pilot program for the transition to instructional materials in an electronic or digital format; providing definitions; providing requirements for the designation of pilot schools; providing exemptions for such schools; requiring that the district school board report to the department by a specified date each year; requiring that the report include certain information; requiring that each district school board submit a review of the pilot program to the department, the Executive Office of the Gov-

error, and the chairs of the legislative appropriations committees by a specified date each year; amending s. 1011.62, F.S.; revising provisions relating to district funding for the operation of schools; deleting provisions relating to the coenrollment of high school students; providing the maximum full-time equivalent membership value for students completing an industry-certified career and professional academy program; requiring that the Department of Education assign the appropriate full-time equivalent value for each certification based on rigor and employment value; requiring that the State Board of Education include the assigned values in the Industry Certification Funding List under rules adopted by the state board; creating s. 1011.621, F.S.; requiring that the Department of Education, upon request by a school district and verification by the Department of Juvenile Justice, direct a school district receiving funds through the Florida Education Finance Program to transfer a pro rata share of the funds to another district that served the same students during the same survey period but were unable to report the students for funding purposes; requiring that the amount of the transfer be based on the percentage of the survey period in which the students were served by each district; amending s. 1011.685, F.S.; revising provisions relating to class size reduction operational categorical funds; authorizing a school district that meets the maximum class size requirement to use the funds for any lawful operating expenditure; amending s. 1011.71, F.S.; revising provisions relating to the district school tax; providing for future expiration of provisions relating to additional millage levied by district school boards; authorizing district school boards to levy additional millage if approved by the voters; providing that the local funds generated by the additional millage not be included in the calculation of funding through the Florida Education Finance Program; amending s. 1012.225, F.S.; discontinuing state funding for the Merit Award Program for Instructional Personnel and School-Based Administrators; amending s. 1013.737, F.S.; changing the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; adopting by reference the alternate compliance calculation amounts to the class size operating categorical, as submitted by the Governor on behalf of the Department of Education for approval by the Legislative Budget Commission; requiring that the Commissioner of Education modify payments to school districts for the 2010-2011 fiscal year consistent with the amendment; providing effective dates.

—as amended April 6 was read the third time by title.

On motion by Senator Simmons, **SB 2120** as amended was passed and certified to the House. The vote on passage was:

#### Yeas—31

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Dean	Jones	Storms
Diaz de la Portilla	Latvala	Thrasher
Dockery	Lynn	Wise
Evers	Margolis	
Fasano	Negron	

#### Nays—7

Braynon	Rich	Sobel
Joyner	Sachs	
Montford	Smith	

Vote after roll call:

Yea—Detert

Yea to Nay—Hill

Nay to Yea—Montford

**SB 2150**—A bill to be entitled An act relating to postsecondary education funding; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain information regarding the gross receipts tax to the State Board of Education, the Division of Bond Finance, and the Office of Economic and Demographic Research; amending s. 215.61, F.S.; requiring that, for purposes of servicing public education capital outlay bonds, the State Board of Education disregard the effects on the gross receipts tax revenues collected during a tax period of a refund resulting from a specified settlement agreement; amending s. 1001.706, F.S.; prohibiting the Board of Governors from establishing and maintaining a foundation, a direct-support organization, or any similar entity; requiring that any funds currently held by the board in a foundation be returned to the donor; prohibiting the board from paying an employee compensation from a foundation, direct-support organization, or similar entity; amending s. 1004.091, F.S.; revising provisions relating to the duties of the Florida Distance Learning Consortium; requiring that the consortium implement a streamlined, automated, online registration process for transient students who are undergraduate students currently enrolled and pursuing a degree at a public postsecondary educational institution; requiring that the consortium work with the Florida College System and the State University System to implement the admissions application process; providing certain requirements for state universities and state colleges; amending s. 1006.72, F.S.; revising provisions relating to the licensing of electronic library resources; requiring that the Chancellor and Vice Chancellor of the Florida College System and the State University System report cost savings resulting from the collaborative licensing process to the Executive Office of the Governor and the chairs of the legislative appropriations committees; amending s. 1007.28, F.S.; revising provisions relating to the computer-assisted student advising system; requiring that the system provide a transient student admissions application process for certain students; creating s. 1009.215, F.S.; authorizing each university, with the approval of the Board of Governors of the State University System, to plan and implement a program for students to enroll for the spring and summer terms rather than the fall terms in order to align student enrollment with available instructional staff and facilities; providing for eligibility for the Bright Futures Scholarship to conform to periods of a student's enrollment; requiring each university that implements the plan to report to the Legislature by a specified date; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; revising the standard tuition for programs leading to a career certificate or an applied technology diploma; requiring that a block tuition be assessed for residents and nonresidents enrolled in adult general education programs; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.23, F.S.; revising provisions relating to community college student fees, including the standard tuition for residents and nonresidents and the out-of-state fee; authorizing each college to assess a transient student fee that does not exceed a specified amount per distance learning course; authorizing the Board of Trustees of Santa Fe College to establish a transportation access fee for students enrolled at Santa Fe College; requiring that revenue from the fee be used only to provide or improve access to transportation services; limiting the amount of the fee; providing a timeframe for a fee increase and implementation of an increase; requiring that a referendum be held by the student government to approve the application of the fee; prohibiting the inclusion of the fee in calculating the amount a student receives under Florida Bright Futures Scholarship Program awards; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; authorizing each university board of trustees to establish a transient student fee that does not exceed a specified amount per distance learning course for processing the transient student admissions application; revising provisions relating to the tuition differential; amending s. 1009.25, F.S.; deleting provisions that exempt students from paying tuition and fees for adult basic, adult secondary, or career preparatory instruction; creating s. 1009.251, F.S.; creating the STEM Scholarship Program; providing a purpose; providing definitions; providing eligibility requirements; providing that funds appropriated by the Legislature in the General Appropriations Act be allocated by the Office of Student Financial Assistance within the Department of Education; providing for the issuance of scholarship awards annually; au-

thorizing the State Board of Education to establish rules; amending s. 1009.286, F.S.; revising provisions relating to a surcharge for hours exceeding baccalaureate degree program completion requirements at state universities; increasing the percentage of the tuition rate that must be paid; amending ss. 1009.55, 1009.56, 1009.57, 1009.60, 1009.68, and 1009.69, F.S.; requiring that the funding for the Rosewood Family Scholarship Program, the Seminole and Miccosukee Indian Scholarships, the Florida Teacher Scholarship and Forgivable Loan Program, the Minority Teacher Education Scholars Program, the Florida Minority Medical Education Program, and the Virgil Hawkins Fellows Assistance Program be as provided in the General Appropriations Act; amending s. 1009.701, F.S.; revising provisions relating to the First Generation Matching Grant Program; requiring that the first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; amending ss. 1009.73 and 1009.74, F.S.; providing that funding for the Mary McLeod Bethune Scholarship Program and the Theodore R. and Vivian M. Johnson Scholarship Program be as provided in the General Appropriations Act; amending s. 1009.77, F.S.; revising provisions relating to the Florida Work Experience Program; requiring that first priority of funding be given to certain students who qualify and receive federal Pell Grant funds; requiring that the funding of the program be provided as in the General Appropriations Act; amending ss. 1009.89 and 1009.891, F.S.; requiring that funding of the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program be provided as in the General Appropriations Act; amending s. 1011.32, F.S.; providing that state matching funds for the Community College Facility Enhancement Challenge Grant Program be temporarily suspended for donations made after a specified date; providing that existing donations remain eligible for future matching funds; amending s. 1011.52, F.S.; deleting a provision that requires the Legislature to provide an annual appropriation to the first accredited medical school; amending s. 1011.61, F.S.; revising the definition of the term “full-time equivalent student”; amending s. 1011.80, F.S.; revising provisions relating to funds for the operation of workforce education programs; prohibiting the expenditure of funds for the education of state or federal inmates; prohibiting the reporting of a student who is enrolled in a K-12 education program and an adult education program for funding purposes; amending s. 1011.81, F.S.; revising provisions relating to the Community College Program Fund to prohibit the expenditure of funds for the education of state or federal inmates; amending s. 1011.85, F.S.; revising provisions relating to the Dr. Philip Benjamin Matching Grant Program for Community Colleges; providing that funds received from community events, festivals, or other such activities are not eligible for state matching funds; providing that state matching funds under the program be temporarily suspended for donations after a specified date; providing that existing donations remain eligible for future matching funds; amending ss. 1011.94 and 1013.79, F.S.; providing that state matching funds for donations to the University Major Gifts Program and the University Facility Enhancement Challenge Grant Program are temporarily suspended; providing that existing donations remain eligible for future matching funds; amending s. 1013.737, F.S.; revising the name of the Class Size Reduction Lottery Revenue Bond Program to the Class Size Reduction and Educational Facilities Lottery Revenue Bond Program; authorizing the issuance of educational facilities bonds; requiring that the Department of Education work with the College Center for Library Automation to transfer the Sunlink bibliographic database for inclusion in CCLA’s online discovery tool product for the public to search; requiring that the department also develop an ongoing process to provide for the updating of such data; requiring that the Florida Center for Library Automation and the CCLA develop and submit a plan to the Governor and the Legislature for establishing a single postsecondary education union catalog; requiring that the Task Force for the Future of Academic Libraries in Florida submit a plan to the Governor and Legislature regarding the establishment of a joint library technology organizational structure; providing effective dates.

—was read the third time by title.

On motion by Senator Lynn, **SB 2150** was passed and certified to the House. The vote on passage was:

Yeas—31

Alexander	Bennett	Dean
Altman	Bogdanoff	Detert
Benacquisto	Braynon	Diaz de la Portilla

Evers	Latvala	Ring
Flores	Lynn	Simmons
Gaetz	Margolis	Siplin
Garcia	Montford	Storms
Gardiner	Negron	Thrasher
Hays	Norman	Wise
Hill	Oelrich	
Jones	Richter	

Nays—7

Dockery	Rich	Sobel
Fasano	Sachs	
Joyner	Smith	

Vote after roll call:

Nay to Yea—Joyner

**SB 2114**—A bill to be entitled An act relating to juvenile justice; creating s. 985.665, F.S.; providing legislative intent; defining the term “regional coordinating agency”; providing requirements for a regional coordinating agency; requiring the Department of Juvenile Justice to contract with regional coordinating agencies for specified services relating to juvenile justice; giving hiring preference to current department employees who meet provider qualifications if they apply for employment with the regional coordinating agencies; providing that the department may maintain certain statewide contracts in place on the effective date of the act; providing for annual measurement and reporting concerning the outcomes and effectiveness of community-based juvenile justice services; requiring regional coordinating agencies to comply with specified requirements; providing for liability of regional coordinating agencies and contracted providers with respect to the treatment of juvenile offenders; providing for governance of regional coordinating agencies; providing for 2-year pilot programs in specified judicial circuits; requiring that the regional coordinating agencies participating in the pilot programs be established organizations within the circuit; requiring the pilot programs to commence by a specified date; requiring annual evaluation reports to the Governor and Legislature; requiring reports; amending s. 985.441, F.S.; prohibiting a court from committing certain youth at a restrictiveness level other than minimum-risk non-residential; authorizing a court to commit certain youth to a low- or moderate-risk residential placement; amending ss. 985.0301, 985.033, and 985.46, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2114** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Negron

**SB 2116**—A bill to be entitled An act relating to the state judicial system; creating the Judicial Caseload Incentive Plan; prescribing the purpose of the plan; providing for performance goals for each judicial circuit; authorizing financial awards to certain judges based on the performance of the circuit in meeting the goals; amending s. 27.511, F.S.; authorizing each office of criminal conflict and civil regional counsel to create a direct-support organization; prescribing requirements related to the creation and operation of the direct-support organization; amending s. 27.5304, F.S.; authorizing the Office of the State Courts Administrator to pay private court-appointed counsel if a court orders payment above specified flat-fee amounts; providing for a portion of such payments to be paid from funds appropriated to the office for that purpose; amending s. 318.18, F.S.; requiring the clerk of court and the Florida Clerks of Court Operations Corporation to submit reports on local traffic assessments in an electronic format; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2116** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Braynon	Hill	Siplin
Dean	Jones	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—3

Joyner	Oelrich	Sachs
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**SB 2118**—A bill to be entitled An act relating to criminal justice; repealing s. 16.61, F.S., relating to the Cybercrime Office within the Department of Legal Affairs; amending s. 943.13, F.S.; limiting the number of hours in the basic recruit training program required for correctional officers, unless the officer is otherwise exempt; creating s. 943.0415, F.S.; creating the Cybercrime Office within the Department of Law Enforcement to investigate certain violations of state law pertaining to the sexual exploitation of children; repealing ss. 951.231(1)(c) and 958.045, F.S., relating to the basic training program for youthful offenders within the Department of Corrections; transferring and reassigning functions and responsibilities of the Cybercrime Office from the Department of Legal Affairs to the Department of Law Enforcement; transferring, renumbering, and amending s. 938.25, F.S.; requiring a court to assess an additional amount against a defendant who pleads guilty or nolo contendere to, or who is convicted of, violating certain specified offenses, and the services of a criminal analysis laboratory are used in the investigation of the offense; providing for the proceeds of the assessment to be deposited into the Operating Trust Fund of the Department of Law Enforcement and used by the statewide criminal analysis laboratory system; prohibiting the court from waiving the assessment; amending ss. 921.187 and 943.361, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2118** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

**SB 2112**—A bill to be entitled An act relating to juvenile detention facilities; amending s. 985.686, F.S.; exempting a county that covers the costs of detention care for pre-adjudicated juveniles within its jurisdiction or other jurisdictions from certain requirements for sharing the costs for juvenile detention; amending s. 985.688, F.S.; providing that a county or county sheriff that meets certain prerequisites with respect to the operation of its juvenile detention facility is exempt from certain requirements of law governing the administration of such facilities; authorizing a county or county sheriff to operate regional detention facilities; requiring that the facility comply with federal requirements to separate juvenile inmates from adult inmates; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 2112** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2144**—A bill to be entitled An act relating to Medicaid; amending s. 409.904, F.S.; providing for funding the Medicaid reimbursement for certain persons age 65 or older while the optional program is being phased out; renaming the “medically needy” program as the “Medicaid nonpoverty medical subsidy”; limiting certain categories of persons eligible for the subsidy to only physician services after a certain date; amending s. 409.905, F.S.; deleting the hospitalist program; amending s. 409.908, F.S.; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs; directing the Agency for Health Care Administration to establish reimbursement rates for the next fiscal year; amending s. 409.9082, F.S.; revising the aggregated amount of the quality assessment for nursing home facilities; exempting certain nursing home facilities from the quality assessment; amending s. 409.911, F.S.; updating references to data to be used for the disproportionate share program; amending s. 409.9112, F.S.; extending the prohibition against distributing moneys under the regional perinatal intensive care centers disproportionate share program for another year; amending s. 409.9113, F.S.; extending the disproportionate share program for teaching hospitals for another year; amending s. 409.9117, F.S.; extending the prohibition against distributing moneys under the primary care disproportionate share program for another year; amending s. 409.912, F.S.; allowing the agency to continue to contract for electronic access to certain pharmacology drug information; eliminating the requirement to implement a wireless handheld clinical pharmacology drug information database for practitioners; revising the factors for calculating the maximum allowable fee for pharmaceutical ingredient costs;

amending ss. 409.9122, 409.915, and 409.9301, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended April 6 was read the third time by title.

On motion by Senator Negron, **SB 2144** as amended was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gaetz	Norman
Alexander	Garcia	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Evers	Margolis	
Flores	Negron	

Nays—11

Altman	Joyner	Sachs
Braynon	Montford	Smith
Dockery	Rich	Sobel
Fasano	Ring	

Vote after roll call:

Yea to Nay—Margolis

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2144** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 4th District*

**SB 2146**—A bill to be entitled An act relating to the Department of Children and Family Services; reordering and amending s. 39.903, F.S.; revising provisions relating to the department's duties with respect to domestic violence; providing that annual certification of domestic violence centers depends on a favorable review by the Florida Coalition Against Domestic Violence; authorizing the coalition to enter and inspect centers for monitoring purposes; requiring the department to contract with the coalition for the management of domestic violence service delivery and the monitoring of centers; requiring the department to contract with the Florida Council Against Sexual Violence with respect to the STOP Violence Against Women Grant Program; requiring the department to be the lead agency for grant application and for coordinating the state STOP Program implementation plan with input from the coalition; deleting the requirement that the department serve as an information clearinghouse on information relating to domestic violence and provide educational programs on domestic violence; amending s. 39.904, F.S.; revising the annual report to the Legislature on domestic violence to place responsibility for the report on the coalition and to revise the content of the report; amending s. 39.905, F.S.; revising provisions relating to the certification of domestic violence centers; providing that the grant, denial, suspension, or revocation of certification is not an administrative action subject to ch. 120, F.S.; amending ss. 381.006, 381.0072, 741.281, 741.2902, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting the requirement that batterers' intervention programs be certified; amending s. 741.325, F.S.; providing requirements for batterers' programs; repealing s. 741.327, F.S., relating to the certification and monitoring of

batterers' intervention programs; amending s. 938.01, F.S.; conforming a cross-reference; amending s. 948.038, F.S.; conforming provisions to changes made by the act; amending s. 394.908, F.S.; directing funding appropriated for forensic mental health treatment services to state areas with the greatest demand; amending ss. 394.76 and 397.321, F.S.; authorizing the department to terminate contracts if funding becomes unavailable; creating s. 409.16713, F.S.; defining terms; providing for the allocation of funding for community-based care lead agencies; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 2146** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Negron

Yea to Nay—Rich

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2146** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 4th District*

**SB 2148**—A bill to be entitled An act relating to the Agency for Persons with Disabilities; prohibiting the agency from expending funds above the amount appropriated in the General Appropriations Act; requiring that the agency monitor monthly program expenditures and provide quarterly reports to the Governor and Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **SB 2148** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays



Hill	Negron	Simmons
Jones	Norman	Siplin
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise

Nays—None

## DISCLOSURE

I have an ownership interest in Caregivers, Inc., a company based in Pensacola, Florida. The company provides services to the elderly and the disabled and a minority of its revenues are derived from reimbursements from the Escambia County Council on Aging and the Florida Medicaid program. Because Caregivers Inc. is among a class of health care providers receiving funds from such state sources, it appears to me that the company may be affected by **SB 2148** which came before the full Senate for a vote on April 7, 2011.

Therefore, I believe that, because Caregivers Inc. is a member of such class, I am required by Senate Rule 1.39 to disclose the above facts.

*Senator Don Gaetz, 4th District*

**SB 2122**—A bill to be entitled An act relating to consumer protection; amending s. 20.14, F.S.; removing the Division of Dairy Industry within the department; amending s. 320.90, F.S.; requiring the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to distribute free of charge a motor vehicle consumer's rights pamphlet; amending s. 501.160, F.S.; providing for the state attorneys and the Department of Legal Affairs, rather than the Department of Agriculture and Consumer Services, to enforce the law prohibiting price gouging; reenacting s. 570.18, F.S., relating to the organization of the Department of Agriculture and Consumer Services, to incorporate the amendment made to s. 570.29, F.S., in a reference thereto; amending s. 570.20, F.S.; removing the time limitations on provisions authorizing moneys in the General Inspection Trust Fund to be used for programs operated by the Department of Agriculture and Consumer Services; amending s. 570.29, F.S.; removing the Division of Dairy Industry, to conform, and adding the Division of Licensing as a division within the department; repealing ss. 570.40 and 570.41, F.S., relating to the powers and duties of the Division of Dairy Industry; amending s. 570.50, F.S.; adding the inspection of dairy farms, milk plants, and milk product plants and other specified functions to the duties of the Division of Food Safety within the department; amending s. 601.15, F.S.; requiring review and approval by the Legislative Budget Commission of any proposal by the Citrus Commission to increase the box tax rate; repealing s. 681.102(7), F.S., relating to the definition of the term "division"; amending ss. 681.103, 681.108, 681.109, 681.1095, 681.1096, 681.110, 681.112, 681.114, 681.117, and 681.118, F.S.; providing for the Department of Legal Affairs, rather than the Division of Consumer Services of the Department of Agriculture and Consumer Services, to enforce the state Lemon Law; consolidating enforcement duties under the Motor Vehicle Warranty Enforcement Act within the Department of Legal Affairs; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2122** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Detert	Gardiner
Alexander	Diaz de la Portilla	Hays
Altman	Dockery	Hill
Benacquisto	Evers	Jones
Bennett	Fasano	Joyner
Bogdanoff	Flores	Latvala
Braynon	Gaetz	Lynn
Dean	Garcia	Margolis

Montford	Richter	Smith
Negron	Ring	Sobel
Norman	Sachs	Storms
Oelrich	Simmons	Thrasher
Rich	Siplin	Wise

Nays—None

**SB 2124**—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.096, F.S.; extending from once every 2 years to once every 3 years the requirement that the department conduct an in-depth review of the assessment roll of each county; providing for a study of certain classifications constituting 5 percent or more of the total assessed value of real property on the previous assessment roll; replacing assessed value with just value of all real property that the department may combine for purposes of assessment ration studies; amending s. 212.05, F.S.; imposing a tax on the charges for the use of coin-operated amusement machines operated on the licensed premises of a pari-mutuel facility located in certain cities or counties; amending s. 213.69, F.S.; exempting the department from paying charges imposed by the clerks of the court for recording tax liens; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2124** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

Nays—None

**SB 2126**—A bill to be entitled An act relating to the Department of Management Services; amending s. 110.181, F.S.; providing for the reimbursement to the department of actual costs for coordinating the Florida State Employee's Charitable Campaign; amending ss. 216.0158 and 216.043, F.S.; requiring the cost factors for a fixed capital outlay project to include an estimate for the finishing of interiors; amending s. 216.182, F.S.; requiring the standards for use of a project to include an analysis of the cost of the constructed space; amending s. 216.301, F.S.; requiring that cost savings realized when actual costs are less than the projected costs for a fixed capital outlay project be used to reduce the overall construction costs; specifying that additional purchases may not be made if they are not included in the approved plan; amending s. 255.043, F.S.; defining the term "art"; prohibiting the purchase of art using public funds except as authorized by law; amending s. 255.29, F.S.; requiring the department to adopt standards for materials and components used in the construction of a fixed capital outlay project; providing criteria; requiring written justification and analysis if a material or component does not meet the standards; amending s. 255.30, F.S.; clarifying the meaning of supervisory authority in the context of the delegation of authority to a state agency by the department; amending s. 273.055, F.S.; deleting provisions requiring department approval for the disposal of state-owned aircraft; amending s. 282.0041, F.S.; revising a cross-reference; amending s. 282.702, F.S.; revising the powers and duties of the department relating to state telecommunications; requiring additional items relating to SUNCOM to be included in the department's annual report; requiring the department to submit an annual benchmark comparison of SUNCOM rates to other rates to the Governor and Legislature; requiring the department to work with the Agency for Enterprise Information Technology to produce a feasibility analysis for

reprocuring the telecommunications network and to submit the analysis to the Governor and the Legislature by a certain date; requiring state agencies to cooperate with the department; requiring the Department of Transportation to provide certain information to assist the department in conducting the feasibility analysis and to develop procedures for disposing of property at less than fair market value; requiring the Department of Transportation to establish certain procedures in the state's right-of-way manual, providing criteria; amending s. 282.703, F.S.; prohibiting state agencies from creating a telecommunications network outside the SUNCOM network; requiring violations to be reported; requiring the department to develop a competitive solicitation to procure end-to-end network services by a certain date; requiring vendors to respond by a certain date; providing the specifications for the procurement; requiring all state agencies to complete the transition to the network services by a certain date; requiring state agencies to cooperate in the procurement; amending s. 287.16, F.S.; removing references to state-owned or leased aircraft; removing a requirement that the department report to the Legislature on the use of aircraft in the executive pool; repealing s. 287.161, F.S., relating to the executive aircraft pool; amending s. 287.17, F.S.; removing the provision that authorizes certain persons to use state-owned aircraft; removing the provision requiring payment by certain persons for the use of state-owned aircraft; amending ss. 318.18 and 318.21, F.S.; delaying the expiration of provisions imposing a surcharge on certain offenses and traffic violations, the proceeds of which are deposited into the State Agency Law Enforcement Radio System Trust Fund of the department; creating s. 760.12, F.S.; requiring that an aggrieved person pay a filing fee when requesting an administrative hearing under ch. 760, F.S., relating to discrimination in the treatment of persons; providing an exception for a person who is indigent; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2126** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2128**—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring that the commission be composed of a chair and two part-time members rather than two full-time members; providing for the chair of the commission to remain as a full-time appointment; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2128** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Braynon	Fasano
Alexander	Dean	Flores
Altman	Detert	Gaetz
Benacquisto	Diaz de la Portilla	Garcia
Bennett	Dockery	Gardiner
Bogdanoff	Evers	Hays

Hill	Negron	Simmons
Jones	Norman	Siplin
Joyner	Oelrich	Smith
Latvala	Rich	Sobel
Lynn	Richter	Storms
Margolis	Ring	Thrasher
Montford	Sachs	Wise

Nays—None

#### SENATOR SIPLIN PRESIDING

**SB 2130**—A bill to be entitled An act relating to pollution control; amending s. 403.1835, F.S.; revising requirements for the deposit of funds used in providing financial assistance for water pollution control; requiring that such funds be deposited into the department's Federal Grants Trust Fund rather than the department's Grants and Donations Trust Fund; specifying additional uses of moneys deposited into the Federal Grants Trust Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2130** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

**SB 2132**—A bill to be entitled An act relating to the Department of Financial Services; repealing ss. 17.53 and 17.556, F.S., relating to the Chief Financial Officer's authorization to operate a personal check-cashing service or a remote financial service unit at the capitol and to employ additional persons to assist in performing such services; abolishing appropriations from the General Revenue Fund to pay the salaries of the additional employees; amending s. 20.121, F.S.; revising the duties of the Division of Consumer Services; amending ss. 284.01 and 284.36, F.S.; revising the criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising requirements for reports concerning the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and recommendations; requiring the division to submit certain evaluation reports to the legislative appropriations committees; amending s. 440.13, F.S.; revising requirements for determining the amount of reimbursement for repackaged or relabeled prescription medication; providing limitations; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2132** was passed and certified to the House. The vote on passage was:

## Yeas—33

Mr. President	Fasano	Norman
Alexander	Flores	Oelrich
Altman	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Sachs
Dean	Jones	Simmons
Detert	Latvala	Siplin
Diaz de la Portilla	Lynn	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise

## Nays—6

Braynon	Joyner	Smith
Hill	Margolis	Sobel

**SB 2134**—A bill to be entitled An act relating to the Citizens Property Insurance Corporation; repealing s. 627.351(6)(e) and (f), F.S., relating to the procurement of goods and services by the corporation; creating s. 627.3514, F.S.; providing standards for procurements by Citizens Property Insurance Corporation; providing legislative intent; providing definitions; providing general purchasing rules for the procurement of goods or services by the Citizens Property Insurance Corporation; requiring the corporation's legal department and purchasing department to jointly prepare a contract for the procurement of goods or services; requiring the legal department to review and approve a contract before it is executed; providing that certain procurements of goods or services are subject to competitive solicitation; providing that a public bid opening is not required except under certain circumstances; requiring a competitive solicitation to include a contract term; requiring the corporation's purchasing department to coordinate and manage the competitive solicitation process; providing for the use of four methods for the competitive solicitation process; requiring the business unit to provide certain information in order for the purchasing department to initiate the competitive solicitation process; requiring the corporation to create a process for the evaluation of vendor proposals appropriate for the goods or services being procured and to coordinate the receipt and evaluation of responses to the competitive solicitation; requiring the corporation to give public notice of a competitive solicitation by electronically posting the competitive solicitation on its website and the state's procurement website; prohibiting certain persons from communicating with any member of the board or employee of Citizens Property Insurance Corporation, or with any public official, officer, or employee of the executive or legislative branch of government, concerning any aspect of the solicitation; providing a procedure for breaking a tie between two vendors in the competitive solicitation process; requiring the redaction of certain confidential and exempt information in a vendor's bid; requiring the corporation to post a copy of each contract executed on its website for certain contracts executed on or after a specified date; authorizing a respondent to a competitive solicitation to appeal the award of certain contracts of more than a specified amount by the corporation's board; requiring the corporation's board to hear an appeal at a publicly noticed meeting conducted according to appeal procedures established by the board; authorizing a respondent to a competitive solicitation to appeal the award of a contract having a value at or above a specified amount and less than a specified amount according to appeal procedures established by the board; providing that such appeals are not required to be heard by the board; authorizing certain exemptions from the competitive solicitation process; requiring the corporation's purchasing policy to address procurement issues regarding conflicts of interest and to include procedures for protecting against any conflict of interest by Citizens' board members and employees and other expert consultants who are acting as an evaluator in the purchasing process; requiring the corporation to strive to increase business with minority business enterprises; requiring the director of purchasing to certify a business as a minority business enterprise upon review and evaluation of evidence provided by the business; requiring the corporation to strive to increase business with Florida small business enterprises by providing education and outreach to Florida small business enterprises regarding business opportunities with the corporation; authorizing the corporation to use the status of a business as a Florida small business enterprise as a vendor-evaluation criterion in the procurement of goods or services; re-

quiring the director of the corporation's purchasing department to certify a business as a Florida small business enterprise upon review and evaluation of evidence provided by the entity; authorizing the corporation to use the status of a business as a Florida business enterprise as a vendor-evaluation criterion in the procurement of goods or services; requiring the corporation to verify the status of a Florida business enterprise; requiring the corporation's board to annually review and adopt the purchasing policy for the corporation; requiring the corporation's board to submit a copy of the purchasing policy to the Office of Insurance Regulation; requiring the Auditor General to have access to the corporation's procurement documents and related materials; requiring the documents and materials held by the Auditor General to remain confidential; amending s. 838.014, F.S.; including a board member or an employee of the corporation within the definition of the term "public servant" as it relates to the crime of bribery and the misuse of public office; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2134** was passed and certified to the House. The vote on passage was:

## Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

## Nays—None

**SB 2136**—A bill to be entitled An act relating to trust funds; creating s. 455.1165, F.S.; creating the Federal Grants Trust Fund within the Department of Business and Professional Regulation; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2136** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

## Yeas—38

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Smith
Detert	Latvala	Sobel
Diaz de la Portilla	Lynn	Storms
Dockery	Margolis	Thrasher
Evers	Montford	Wise
Fasano	Negron	

## Nays—None

**SB 2142**—A bill to be entitled An act relating to the water management districts; creating s. 373.502, F.S.; providing requirements with

respect to revenues received by each water management district and the unexpended balances of a district's local account; requiring that each district's expenditure of funds be as provided in the General Appropriations Act; providing for a contingency if a court finds such restriction to be invalid; amending s. 373.503, F.S.; providing that the Legislature may annually set the amount of revenue a district may raise through its ad valorem tax authority; prohibiting a district from imposing ad valorem taxes if the Legislature does not set the amount of revenue; amending s. 373.536, F.S.; changing the districts' fiscal year; revising provisions relating to the development of district budgets and review by the Executive Office of the Governor and Legislature; requiring that each district make budget information available to the public through the district's website; amending s. 403.891, F.S., relating to the Water Protection and Sustainability Program Trust Fund; conforming provisions to changes made by the act; amending ss. 373.026, 373.036, 373.707, and 373.709, F.S.; conforming cross-references; specifying the district millage rate during those months that the districts are in transition to a new fiscal year and capping the amount of revenues that may be collected; providing that each district may expend funds until its final budget is approved; appropriating all prior year incurred obligations; providing for future expiration; providing an effective date.

—as amended April 6 was read the third time by title.

On motion by Senator Hays, **SB 2142** as amended was passed and certified to the House. The vote on passage was:

#### Yeas—36

Mr. President	Gaetz	Norman
Alexander	Garcia	Oelrich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Evers	Margolis	Storms
Fasano	Montford	Thrasher
Flores	Negron	Wise

#### Nays—3

Altman	Dockery	Rich
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**SB 2152**—A bill to be entitled An act relating to transportation; amending s. 310.002, F.S.; redefining the term “port” to include Port Citrus; amending s. 311.07, F.S.; providing additional funds for 5 years to fund certain projects through the Florida Deepwater Seaport Program; amending s. 311.09, F.S.; including a representative of Port Citrus as a member of the Florida Seaport Transportation and Economic Development Council; amending s. 338.165, F.S.; specifying that certain statutory provisions related to special matters to be considered in rule adoption do not apply to the adjustment of toll rates; transferring control of the Tampa-Hillsborough County Expressway Authority, the Orlando-Orange County Expressway Authority, and the Mid-Bay Bridge Authority systems to the Florida Turnpike Enterprise; transferring all assets, rights, powers, duties, and bond liabilities of the authorities to the turnpike enterprise; transferring all provisions that protect the rights of certain bondholders from the authorities to the turnpike enterprise; providing for the turnpike enterprise to annually transfer funds from the activities of each of the transferred authorities to the State Transportation Trust Fund to repay certain long-term debt; amending s. 338.2215, F.S.; adding certain expressway and bridge systems to the Florida Turnpike Enterprise; amending s. 338.231, F.S.; requiring that the toll rates collected electronically equal the rates for cash collection; amending s. 338.2275, F.S.; increasing the maximum amount of bonds that may be outstanding for approved turnpike projects; repealing s. 338.251, F.S., relating to the Toll Facilities Revolving Trust Fund; transferring all funds in the trust fund and future payments of obligated funds to the Turnpike General Reserve Trust Fund; creating s. 339.2821, F.S.; providing requirements for contracts for transportation projects; providing duties of the Department of Transportation; providing for the transfer of funds; requiring that funds be allocated to each district

equitably; authorizing Space Florida to serve as a local government or a contracting agency within spaceport territory; repealing s. 343.805(6), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Northwest Florida Transportation Corridor Authority and the Department of Transportation; amending s. 343.835, F.S.; deleting references to lease-purchase agreements; amending s. 343.836, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the U.S. 98 Corridor System; repealing s. 343.837, F.S., relating to lease-purchase agreements that provide for the leasing of the U.S. 98 Corridor System to the Department of Transportation; repealing s. 343.885, F.S., relating to the enforceability of pledges by bondholders; repealing s. 343.91(1)(h), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Tampa Bay Area Regional Transportation Authority and the Department of Transportation; amending s. 343.94, F.S.; deleting references to lease-purchase agreements; amending s. 343.944, F.S.; deleting references to lease-purchase agreements in remedies to bondholders as they relate to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.945, F.S., relating to the enforceability of pledges to the Tampa Bay Area Regional Transportation Authority; repealing s. 343.946, F.S., relating to lease-purchase agreements that provide for the leasing of projects of the Tampa Bay Area Regional Transportation Authority to the Department of Transportation; repealing s. 348.0002(11), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to expressway authorities and the Department of Transportation; amending s. 348.0004, F.S.; authorizing authorities created pursuant to the Florida Expressway Authority Act to own expressway systems; deleting the power of such authorities to lease such systems; deleting obsolete provisions; amending s. 348.0005, F.S.; deleting a reference to the Department of Transportation to conform to changes made by the act; repealing s. 348.0006, F.S., which provides for lease-purchase agreements in the Florida Expressway Act; repealing part II of ch. 348, F.S., which provides for the creation and operation of the Brevard County Expressway Authority; repealing part III of ch. 348, F.S., which provides for the creation and operation of the Broward County Expressway Authority; repealing part IV of ch. 348, F.S., which provides for the creation and operation of the Tampa-Hillsborough County Expressway Authority; repealing part V of ch. 348, F.S., which provides for the creation and operation of the Orlando-Orange County Expressway Authority; repealing part VI of ch. 348, F.S., which provides for the creation and operation of the Pasco County Expressway Authority; repealing part VII of ch. 348, F.S., which provides for the creation and operation of the St. Lucie County Expressway and Bridge Authority; repealing part VIII of ch. 348, F.S., which provides for the creation and operation of the Seminole County Expressway Authority; repealing part X of ch. 348, F.S., which provides for the creation and operation of the Southwest Florida Expressway Authority; repealing s. 348.9955, F.S., relating to the power of the Osceola Expressway Authority to enter into lease-purchase agreements with the Department of Transportation; repealing s. 349.02(1)(d), F.S., relating to the definition of the term “lease-purchase agreement” as it relates to the Jacksonville Transportation Authority and the Department of Transportation; amending s. 349.04, F.S.; deleting the authority of the Jacksonville Transportation Authority to enter lease-purchase agreements; amending s. 349.05, F.S.; deleting authorization for lease-purchase agreements in bond agreements of the Jacksonville Transportation Authority; repealing s. 349.07, F.S., relating to lease-purchase agreements that provide for the leasing of the Jacksonville Expressway System to the Department of Transportation; amending s. 349.15, F.S.; deleting certain bond authority of the department; amending s. 374.976, F.S.; including Port Citrus in provisions relating to the authority of inland navigation districts; amending s. 403.021, F.S.; conforming provisions to include Port Citrus in legislative declarations relating to environmental control; amending s. 403.061, F.S.; conforming provisions to include Port Citrus in provisions relating to powers of the Department of Environmental Protection; amending s. 403.813, F.S.; including Port Citrus in provisions relating to permits issued at Department of Environmental Protection district centers; amending s. 403.816, F.S.; including Port Citrus in provisions relating to certain maintenance projects at deepwater ports and beach restoration projects; repealing chapter 2000-411, Laws of Florida, relating to the Mid-Bay Bridge Authority; amending s. 212.08, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Senator Norman moved the following amendment which failed to receive the required two-thirds vote:

**Amendment 1 (959312) (with title amendment)**—Delete lines 506-509.

And the title is amended as follows:

Delete lines 28-30 and insert: Enterprise; amending s. 338.231, F.S.; providing for revenues of the Florida Turnpike Enterprise to be used to maintain, improve, repair, or operate the turnpike system; amending s. 338.2275, F.S.;

### THE PRESIDENT PRESIDING

On motion by Senator Gaetz, **SB 2152** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Gaetz	Rich
Alexander	Garcia	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Dean	Lynn	Siplin
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise
Evers	Negron	
Flores	Oelrich	

Nays—11

Altman	Gardiner	Smith
Braynon	Joyner	Sobel
Dockery	Latvala	Storms
Fasano	Norman	

Vote after roll call:

Yea to Nay—Flores

### DISCLOSURE

April 7, 2011  
Re: Vote on SB 2152

In accordance with Senate Rule 1.39-Disclosure Disqualification, “A Senator is not disqualified from voting when, in the Senator’s judgment, a conflict of interest is present. However, a Senator shall disclose any personal, private, or professional interest in a matter that would inure to that Senator’s special private gain or the special gain of any principal to whom the Senator is obligated”.

The law firm with which I am employed is co-bond counsel for the Hillsborough County Expressway and, in an abundance of caution, I am disclosing this matter. I will be voting because I believe that the interests of my constituents will not be served if I do not vote.

*Senator Arthenia L. Joyner, 18th District*

**SB 2154**—A bill to be entitled An act relating to the Florida Housing Finance Corporation; amending s. 201.15, F.S.; deleting provisions on the distributions of documentary stamp tax revenues to the State Housing Trust Fund and the Local Government Housing Trust Fund; conforming cross-references; amending ss. 420.0003 and 420.0004, F.S.; replacing references to the Department of Community Affairs with Jobs Florida; amending s. 420.0005, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund within the State Treasury; replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; subjecting expenditures from the State Housing Fund for administrative and personnel costs to appropriation by the Legislature; providing for the interest received on investments of moneys of the State Housing Fund in excess of the amounts appropriated for the current fiscal year to be credited to the General Revenue Fund; amending ss. 420.101, 420.111, 420.36, 420.424, 420.503, 420.504, and 420.506, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing refer-

ences to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.507, F.S.; providing for certain moneys to be deposited into the State Housing Trust Fund; subjecting expenditures of funds to appropriation by the Legislature; deleting provisions exempting the corporation from certain state budgetary requirements; deleting the provision that authorizes the corporation to retain unused operational expenditures; amending s. 420.508, F.S.; providing for the deposit of certain moneys into the State Housing Trust Fund; providing that expenditures from the Florida Housing Finance Corporation Fund are subject to appropriation by the Legislature; amending s. 420.5087, F.S.; conforming a cross-reference; requiring that loan repayments and certain proceeds be accounted for by the corporation and be deposited into the State Housing Trust Fund; deleting a provision that prohibits loan repayments and certain proceeds from reverting to the General Revenue Fund; requiring that expenditures from the State Apartment Incentive Loan Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; requiring the corporation to account for certain funds and to deposit them into the State Housing Trust Fund; requiring the corporation to seek a budget amendment to transfer funds for its loan loss insurance reserve; amending s. 420.5088, F.S.; revising provisions relating to the Florida Homeownership Assistance Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; subjecting expenditures from the Florida Homeownership Assistance Fund to appropriation by the Legislature; amending s. 420.5089, F.S.; revising provisions relating to the HOME Investment Partnership Program; requiring the corporation to account for certain monies deposited into the State Housing Trust Fund; authorizing the corporation to seek a budget amendment to use certain funds for construction in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain funds to be deposited into the State Housing Trust Fund; amending s. 420.5091, F.S.; revising provisions relating to the HOPE Program; providing for the deposit of certain funds into the State Housing Trust Fund; amending s. 420.5092, F.S.; revising provisions relating to the Florida Affordable Housing Guarantee Program; authorizing certain funds to be used to support the Florida Affordable Housing Guarantee Program; conforming cross-references; amending s. 420.5095, F.S.; replacing a reference to the Department of Community Affairs with Jobs Florida; amending s. 420.525, F.S.; requiring that expenditures from the Housing Predevelopment Fund be subject to appropriation by the Legislature; authorizing the corporation to seek a budget amendment to use certain funds for predevelopment activities in fiscal years subsequent to the fiscal years for which the funds were appropriated; providing for certain monies to be accounted by the corporation and deposited into the State Housing Trust Fund; deleting a provision that prohibits certain funds, loan repayments, proceeds from reverting to the General Revenue Fund; amending ss. 420.526 and 420.529, F.S.; providing for certain monies to be accounted by the corporation and repaid to, or deposited into, the State Housing Trust Fund; amending s. 420.602, F.S.; redefining definitions; amending ss. 420.606, 420.609, 420.622, and 420.631, F.S.; replacing references to the Department of Community Affairs with Jobs Florida and replacing references to the Secretary of the Department of Community Affairs with the Commissioner of Jobs Florida; amending s. 420.9073, F.S.; revising local housing distribution provisions under the State Housing Initiatives Partnership Program; amending s. 420.9079, F.S.; providing for the deposit of certain monies into the Local Government Housing Trust Fund; providing for the interest on certain investments of the Local Government Housing Trust Fund to be credited to the General Revenue Fund; amending s. 201.0205, F.S.; changing the source of funding for certain local housing programs; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2154** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Dean	Flores
Alexander	Detert	Gaetz
Altman	Diaz de la Portilla	Garcia
Benacquisto	Dockery	Gardiner
Bennett	Evers	Hays
Bogdanoff	Fasano	Hill

Jones	Norman	Simmons
Latvala	Oelrich	Siplin
Lynn	Richter	Storms
Montford	Ring	Thrasher
Negron	Sachs	Wise

Nays—6

Braynon	Margolis	Smith
Joyner	Rich	Sobel

**SB 2156**—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner’s public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida

to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms “state land planning agency” and “optional sector plans”; amending ss. 163.3177 and 163.3180, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government’s comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word “optional” from the phrase “optional sector plans” to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms “economic benefits” and “commissioner”; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as “Jobs Florida Partnership, Inc.”; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.;

specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Development; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit

program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.973, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct sup-



port organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—as amended April 6 was read the third time by title.

## MOTION

On motion by Senator Dean, by the required two-thirds vote, consideration of the following amendments were allowed:

Senator Dean moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (149544)**—Delete line 3516 and insert: *for recruitment or retention, and staffing of the division. The advisory council shall include at least one representative from each of the rural areas of critical economic concern established pursuant to s. 288.0656(7).*

**Amendment 2 (903382)**—Delete lines 2961 and 2962 and insert: *diversity. Efforts shall be taken to ensure participation from all geographic areas of the state, including representation from urban and rural communities.*

**Amendment 3 (819500)**—Delete line 3590 and insert: *funding proposals, and staffing of the division. The advisory council shall make recommendations to promote tourism opportunities in all areas of this state.*

**Amendment 4 (608198)**—Delete line 3426 and insert: *from the lists submitted. Nominations for advisory council membership shall include representatives from all geographic areas of the state, including rural and urban communities. Each advisory council shall elect a*

**Amendment 5 (313154)**—Delete line 3397 and insert: *encouraging to locate or relocate to its area. A county or municipality having a population of 25,000 or fewer or its local economic development organization seeking to recruit businesses may submit information as required in this section and may participate in any activity or initiative resulting from the collection, analysis, and reporting of the information to the Jobs Florida Partnership, Inc., pursuant to this section.*

**Amendment 6 (246032)**—Between lines 2935 and 2936 insert:

*(g) Assist, promote, and enhance economic opportunities in this state's rural and urban communities.*

## MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Lynn and Wise offered the following amendment which was moved by Senator Lynn:

**Amendment 7 (706040) (with title amendment)**—Between lines 14366 and 14367 insert:

3. *Provide comprehensive services to the state's birth to five population which shall ensure the preservation of parental choice by permitting parents to choose from a variety of child care categories, including: Center-based child care; Group home child care; Family child care; and In-*

*home child care. Under each of the above categories, care and curriculum by a sectarian provider may not be limited or excluded.*

Delete lines 20172-20177 and insert: *actions, including the use of a curriculum approved by the department under paragraph (2)(c) or a staff development plan to strengthen instruction in language development and phonological awareness approved by the department.*

3. A private prekindergarten provider or public school that is placed on probation must continue the corrective actions required under subparagraph 2., including the use of a curriculum *or a staff development plan to strengthen instruction in language development and phonological awareness approved by the department, until the provider or*

And the title is amended as follows:

Delete line 373 and insert: *provisions; amending s. 411.01(4), F.S., to ensure the Department of Education provides preservation of parental choice; amending s. 1002.67, F.S., to provide for private prekindergarten providers or public schools that are on probation to use a staff development plan to strengthen instruction in language development and phonological awareness approved by the department; transferring, renumbering and amending*

On motion by Senator Gaetz, further consideration of **SB 2156** as amended with pending **Amendment 7 (706040)** was deferred.

**SB 2160**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 20.23, F.S.; creating motor carrier weight inspection as an area of program responsibility within the Department of Transportation, which replaces motor carrier compliance; amending s. 20.24, F.S.; revising the divisions within the Department of Highway Safety and Motor Vehicles; creating the Office of Motor Carrier Compliance of the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles; amending ss. 110.205, 311.115, 316.302, 316.3025, 316.3026, 316.516, 316.545, 316.640, 320.18, and 321.05, F.S.; conforming provisions to changes made by the act; amending s. 288.816, F.S.; requiring the department rather than the Division of Motor Vehicles to issue special motor vehicle license plates; amending s. 311.121, F.S.; providing for a representative of the department rather than the Division of Driver Licenses to be appointed to the Seaport Security Officer Qualification, Training, and Standards Coordinating Council; amending s. 316.066, F.S.; revising circumstances under which a law enforcement officer is required to submit to the department a Florida Traffic Crash Report, Long Form; providing for the use of driver exchange-of-information forms under certain circumstances; eliminating provisions authorizing counties to establish certified central traffic records centers, including provisions authorizing the funding of such centers; deleting restrictions on the commercial use of crash reports; amending s. 316.1957, F.S.; requiring that motor vehicle records be maintained by the department; amending s. 316.613, F.S.; requiring the department rather than the Division of Motor Vehicles to provide notice of the requirements for child restraint devices; amending s. 318.15, F.S.; providing for the department rather than the Division of Driver Licenses to administer certain provisions governing the suspension of a person's driver's license and privilege to drive; amending s. 320.05, F.S.; providing for a Division of Motorist Services Procedures Manual; clarifying that the creation and maintenance of records by the division is not a law enforcement function; amending s. 320.275, F.S.; providing for a representative of the department rather than the Division of Motor Vehicles to be appointed to the Automobile Dealers Industry Advisory Board; amending s. 321.23, F.S.; specifying the fee to be charged for a copy of a uniform traffic citation; providing for a portion of the fees for crash reports to be distributed to the investigating agency under certain circumstances; authorizing the Department of Highway Safety and Motor Vehicles to scan the records of crash reports, which shall be considered original copies; amending s. 322.02, F.S.; providing for the Division of Motorist Services to administer ch. 322, F.S., relating to driver's licenses; amending s. 322.135, F.S.; providing duties of the tax collectors with respect to driver's license services; directing the tax collectors who are constitutional officers to assume all driver's license issuance services by a certain date and according to a specified schedule; deleting obsolete provisions; authorizing the department to adopt rules creating exceptions for counties that are unable to provide full driver's license services; providing for interlocal agreements to provide such services; amending s. 322.20, F.S.; providing for the department and the Division of Motorist Services to maintain



certain records; amending s. 322.202, F.S.; clarifying that the Division of Motorist Services is not a law enforcement agency and is not an adjunct of any law enforcement agency; amending s. 322.21, F.S.; requiring that a portion of the fees charged for the replacement of a driver's license or identification card be used to support motorist services activities; requiring that such fees be retained by the tax collectors who issue driver's licenses following the transition of the driver's license issuance services to the constitutional tax collectors; providing for the Division of Motorist Services to collect fees and issue driver's licenses and identification cards and account for all license funds in the administration of ch. 322, F.S.; repealing s. 334.044(32), F.S., relating to the authorization of the Office of Motor Carrier Compliance within the Department of Transportation to employ sworn law enforcement officers to enforce traffic and criminal laws in this state; amending s. 413.012, F.S., relating to certain confidential records; conforming a reference to changes made by the act; amending s. 921.0022, F.S.; conforming a cross-reference; creating the Law Enforcement Consolidation Task Force; providing for membership; requiring the Department of Highway Safety and Motor Vehicles to provide administrative assistance to the task force; requiring the agency that is represented by a member of the task force to bear the travel expenses incurred by the member; requiring the task force to evaluate the duplication of law enforcement functions and to identify possible consolidation; requiring the task force to evaluate administrative functions; requiring the task force to evaluate whether to limit the jurisdiction of the Florida Highway Patrol; requiring the task force to make recommendations and submit a report to the Legislature by a certain date; providing for future expiration; transferring the Office of Motor Carrier Compliance of the Department of Transportation to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; authorizing the Executive Office of the Governor to transfer funds and positions between agencies; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2160** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2162**—A bill to be entitled An act relating to trust funds; creating the Welfare Transition Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for the annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **SB 2162** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bogdanoff	Dockery
Alexander	Braynon	Evers
Altman	Dean	Fasano
Benacquisto	Detert	Flores
Bennett	Diaz de la Portilla	Gaetz

Garcia	Margolis	Sachs
Gardiner	Montford	Simmons
Hays	Negron	Siplin
Hill	Norman	Smith
Jones	Oelrich	Sobel
Joyner	Rich	Storms
Latvala	Richter	Thrasher
Lynn	Ring	Wise

Nays—None

**SB 2094**—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was read the third time by title.

#### SENATOR JONES PRESIDING

On motion by Senator Alexander, **SB 2094** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Oelrich
Alexander	Gaetz	Rich
Altman	Garcia	Richter
Benacquisto	Gardiner	Ring
Bennett	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Jones

**CS for SB 1738**—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.90, F.S.; conforming a cross-reference; amending s. 215.91, F.S.; providing that the Financial Management Information Board is responsible for the system; deleting provisions relating to the Florida Financial Management Information System Coordinating Council; deleting references to functional owner subsystems; amending s. 215.92, F.S.; redefining terms and adding and deleting definitions; creating s. 215.922, F.S.; establishing the Agency for Enterprise Business Services within the Department of Financial Services; providing that the office is a separate budget entity not subject to the department; providing that the agency is headed by the Governor and Cabinet acting as the Financial Management Information Board; providing for an executive director; providing the duties of the agency; creating s. 215.923, F.S.; establishing the Enterprise Financial Business Operations Council to act in an advisory capacity to the agency; providing the members of the council; providing council duties; creating s. 215.924, F.S.; providing for an Enterprise Financial Business Strategic Plan; requiring the plan to be annually reviewed, updated, and submitted to the Legislature; providing for the contents of the plan; amending s. 215.93, F.S.; revising provisions relating to the Florida Financial Management Information System; renaming the Florida Accounting Information Resource Subsystem the Financial Management Subsystem; adding the Revenue and Tax Collection, Processing, and Distribution Subsystem; deleting references to functional owner subsystems and providing for enterprise business owners; revising the du-

ties of the owners; deleting references to the design and coordination staff; providing for the ownership and functions of the Revenue and Tax Collection, Processing, and Distribution Subsystem by the Department of Revenue; amending s. 215.94, F.S.; deleting references to functional owner subsystems and providing for enterprise business owners; amending s. 215.95, F.S.; providing additional duties for the Financial Management Information Board; repealing s. 215.96, F.S., relating to the coordinating council and design and coordination staff; creating s. 215.961, F.S.; providing state agency requirements relating to the Florida Financial Management Information System and the use of functional information and enterprise agency business subsystems; amending s. 215.985, F.S., relating to the Transparency Florida Act; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Legislative Auditing Committee to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state's official website; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring the Office of Policy and Budget to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the act; establishing a state contract management system on the website; requiring the Legislative Auditing Committee to adopt guidelines for administering the act; conforming terms; amending ss. 17.11, 216.102, 216.141, and 216.237, F.S.; conforming terms; providing for funding; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 1738** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2096**—A bill to be entitled An act relating to state financial information; amending s. 11.45, F.S.; requiring the Auditor General to annually provide to the Legislature a list of school districts and water management districts that have failed to comply with certain financial transparency requirements, as identified pursuant to audit; amending s. 215.985, F.S., relating to the Transparency Florida Act; defining the term "department" to mean the Department of Financial Services; removing the term "committee"; redefining the term "governmental entity" to include public schools rather than public school districts; requiring the Chief Financial Officer to develop and maintain the transparency website; providing for the transition of the website to the department; requiring the department to recommend a format for school districts, charter schools, and charter technical career centers to use in collecting and displaying financial information; revising the schedule for adding information to the state's official website; requiring certain functional owners and governmental entities to provide information specified by the department; revising provisions exempting certain municipalities and special districts from the Transparency Florida Act; requiring each water management district to post certain information on its website; requiring the fiscal year of each water management district to be July 1 to June 30; requiring each water management district to maintain its financial data in a certain manner; requiring each water management district to submit monthly detailed financial reports to the department in a manner specified by the Chief Financial Officer; requiring the Chief

Financial Officer to maintain the state's financial data on the state website for a specified period; requiring a certified public accountant conducting an audit of a unit of local government to report compliance with the Transparency Florida Act; authorizing the department to adopt guidelines for administering the act; providing for public access to a state contract management system on the Transparency Florida website; requiring the collection of certain data; requiring that agency procurement staff update data in the state contract management system following a major change to a contract; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2096** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2098**—A bill to be entitled An act relating to the consolidation of state information technology services; transferring, renumbering, and amending s. 14.204, F.S.; establishing the Agency for Enterprise Information Technology in the Department of Management Services rather than the Executive Office of the Governor; revising the duties of the agency to include the planning, project management, and implementation of the enterprise information technology services; requiring the agency to submit a plan to the Legislative Budget Commission for aggregating information technology purchases; deleting references to the Office of Information Security and the Agency Chief Information Officers Council; amending s. 282.0041, F.S.; revising definitions; amending s. 282.0056, F.S.; revising provisions relating to the agency's annual work plan; amending s. 282.201, F.S.; revising the duties of the agency; deleting obsolete provisions; providing a schedule for the consolidations of state agency data centers; requiring agencies to update their service-level agreements and to develop consolidation plans; requiring the Agency for Enterprise Information Technology to submit a status report to the Governor and Legislature and to develop a comprehensive transition plan; requiring primary data centers to develop transition plans; revising agency limitations relating to technology services; amending s. 282.203, F.S.; deleting obsolete provisions; revising duties of primary data centers relating to state agency resources and equipment relinquished to the centers; requiring state agencies to relinquish all administrative access rights to certain resources and equipment upon consolidation; providing for the appointment of alternate board members; revising provisions relating to state agency representation on data center boards; conforming a cross-reference; amending s. 282.204, F.S.; establishing the Northwood Shared Resource Center in the Department of Management Services rather than the Department of Children and Family Services; creating s. 282.206, F.S.; establishing the Northwest Regional Data Center as a primary data center; repealing s. 282.315, F.S., relating to the Agency Chief Information Officers Council; amending s. 282.318, F.S.; deleting references to the Office of Information Security with respect to responsibility for enterprise security; deleting obsolete provisions; amending s. 282.33, F.S.; deleting an obsolete provision; revising the schedule for the Agency for Enterprise Information Technology to submit certain recommendations to the Legislature; amending s. 282.34, F.S.; revising the schedule for migrating state agencies to the statewide e-mail system; revising limitations on state agencies; revising the requirements for rules adopted by the Agency for Enterprise Information Technology; creating s. 282.35, F.S.; providing for a statewide desktop service as an enterprise information technology

service to be provided by the Department of Management Services; requiring the Agency for Enterprise Information Technology to develop a plan for the establishment of the service and submit such plan to the Governor and Legislature by a certain date; specifying the contents of the plan; providing agency limitations with respect to such services and exceptions from such limitations if granted by the agency; amending ss. 287.042 and 287.056, F.S.; directing the department to adopt rules establishing conditions under which an agency may be exempted from using a state term contract or purchasing agreement; conforming provisions to changes made by the act; amending s. 287.057, F.S.; authorizing the department to adopt rules to be used by agencies to manage contracts; deleting a prohibition against an entity contracting to provide a feasibility study on certain subject matter from contracting with an agency for that subject matter; amending s. 45 of chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; transferring the Agency for Enterprise Information Technology and the Northwood Shared Resource Center to the Department of Management Services; requiring the agency to coordinate with the Southwood Shared Resource Center to provide a status report to the Executive Office of the Governor and to the Legislature; providing an effective date.

—as amended April 6 was read the third time by title.

On motions by Senator Hays, **SB 2098** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2100**—A bill to be entitled An act relating to retirement; amending ss. 110.123, 112.0801, 112.363, and 112.65, F.S.; conforming provisions to changes made by the act; amending s. 121.011, F.S.; requiring employee and employer contributions to the retirement system by a certain date; amending s. 121.021, F.S.; redefining the terms “system,” “prior service,” “compensation,” “average final compensation,” “normal retirement date,” “termination,” “benefit,” and “payee”; defining the term “division”; amending s. 121.051, F.S.; conforming provisions to changes made by the act; amending s. 121.0515, F.S.; providing that special risk employee contributions be used, if applicable, when purchasing credit for past service; conforming a cross-reference; amending s. 121.052, F.S., relating to the membership class of elected officers; conforming provisions to changes made by the act; providing for a refund of contributions under certain circumstances for an officer who leaves office; prohibiting such refund if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; conforming a cross-reference; amending s. 121.053, F.S.; conforming provisions to changes made by the act; amending s. 121.055, F.S., relating to the Senior Management Service Class; conforming provisions to changes made by the act; providing for refunds of employee refunds; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; requiring employee and employer contributions for members in the Senior Management Service Optional Annuity Program after a certain date; limiting the payment of benefits before a member’s termination of employment; amending s. 121.071, F.S.; requiring employee and employer contributions to the retirement system beginning on a certain

date; limiting the payment of benefits before a member’s termination of employment; requiring repayment plus interest of an invalid refund; amending s. 121.081, F.S.; providing requirements for contributions for prior service performed on or after a certain date; amending s. 121.091, F.S.; conforming a cross-reference; providing for refunds of employee refunds; limiting the payment of benefits before a member’s termination of employment; prohibiting a refund of retirement contributions if an approved qualified domestic relations order is filed against the member’s retirement account; providing that a member who obtains a refund of contributions waives certain rights under the Florida Retirement System; revising the interest rate accruing on DROP benefits after a certain date; conforming provisions to changes made by the act; amending s. 121.1001, F.S.; conforming provisions to changes made by the act; amending s. 121.101, F.S.; revising the cost-of-living adjustment depending on the date of retirement; amending s. 121.121, F.S., relating to the purchase of creditable service following an authorized leave of absence; requiring that service credit be purchased at the employee and employer contribution rates in effect during the leave of absence; reducing the interest rate on benefits payable under the Deferred Retirement Option Program for employees hired after a certain date; amending s. 121.122, F.S.; providing for renewed membership in the retirement system for retirees who are reemployed after a certain date; excluding retirees of the Elected Officers’ Class or the Senior Management Service Class; specifying requirements and limitations; amending s. 121.125, F.S.; conforming provisions to changes made by the act; assessing a penalty against employers for contributions not paid after a member becomes eligible for workers’ compensation; amending s. 121.35, F.S., relating to the optional retirement program for the State University System; conforming provisions to changes made by the act; requiring employee and employer contributions for members participating in the optional retirement program after a certain date; deleting certain requirements governing employer contributions to conform to changes made by the act; prohibiting certain benefits before termination from employment; conforming cross-references; amending s. 121.355, F.S.; conforming provisions to changes made by the act; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Florida Retirement System Investment Plan; limiting the option of enrolling in the State Retirement System’s defined benefit program or defined contribution program to public employees employed before a certain date; requiring certain public employees employed on or after a certain date to enroll in the investment plan; providing exceptions; requiring that plan members make contributions to the plan based on the employee’s membership class; revising definitions; revising the benefit commencement age for members of the special risk class; providing for contribution adjustments as a result of errors or corrections; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the pension plan to the investment plan; providing for past employees who reenter the system; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; providing for a retiree to retain his or her prior plan choice following a return to employment; limiting certain refunds of contributions which exceed the amount that would have accrued had the member remained in the pension plan; providing certain requirements and limitations with respect to contributions; clarifying that employee and employer contributions are earmarked for specified purposes; providing duties of the third-party administrator; providing that a member is vested immediately with respect to employee contributions paid by the employee; providing for the forfeiture of nonvested employer contributions and service credit based on years of service; amending s. 121.4502, F.S.; conforming provisions to changes made by the act; amending s. 121.4503, F.S.; providing for the deposit of employee contributions into the Florida Retirement System Contributions Clearing Trust Fund; amending s. 121.571, F.S.; conforming provisions to changes made by the act; providing requirements for submitting employee contributions; amending s. 121.591, F.S.; prohibiting the payment of certain benefits before termination of employment; providing for the forfeiture of nonvested accumulations upon payment of certain vested benefits; providing that the distribution payment method selected by the member or beneficiary is irrevocable at the time of distribution; prohibiting a distribution of employee contributions if a qualified domestic relations order is filed against the member’s account; providing for the distribution of an employee’s contributions if the employee dies before being vested; conforming provisions to changes made by the act; amending ss. 121.5911 and 121.70, F.S.; conforming provisions to changes made by the act; amending s. 121.71, F.S.; providing for employee contributions to be deducted from the employee’s monthly salary, beginning on a specified

date, and treated as employer contributions under certain provisions of federal law; clarifying that an employee may not receive such contributions directly; specifying the required contribution rate for all members of the Florida Retirement System; specifying the required employer retirement contribution rates for each membership class and subclass of the system in order to address unfunded actuarial liabilities of the system; requiring an assessment to be imposed if the employee contributions remitted are less than the amount required; providing for the employer to receive a credit for excess contributions remitted; conforming cross-references; amending s. 121.72, F.S.; revising certain requirements governing allocations to optional retirement program member accounts; conforming cross-references; amending s. 121.73, F.S., relating to disability coverage for members of the optional retirement program; conforming provisions to changes made by the act; amending ss. 121.74, 121.75, and 121.77, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending s. 121.78, F.S.; revising certain requirements for administering the payment and distribution of contributions; requiring that certain fees be imposed for delinquent payment; providing that an employer is responsible for recovering any refund provided to an employee in error; revising the terms of an authorized waiver of delinquency; requiring an employer to receive a credit for excess contributions and to reimburse an employee for excess contributions, subject to certain limitations; amending s. 175.121, F.S.; specifying other sources available to pay the expenses of the Department of Revenue for administering firefighters' pension plans; amending s. 175.341, F.S.; conforming provisions to changes made by the act; amending s. 185.10, F.S.; specifying other sources available to pay the expenses of the department for administering police officers' pension plans; amending s. 185.23, F.S.; conforming provisions to changes made by the act; amending s. 250.22, F.S.; providing that retirement pay for members of the Florida National Guard is determined on the date of retirement and may not be recomputed to reflect an increase in basic pay; directing the Division of Retirement to annually adjust retirement pay after a certain date; amending s. 1012.875, F.S.; requiring employee and employer contributions for members of the State Community College System Optional Retirement Program on a certain date; conforming cross-references; providing that the act fulfills an important state interest; providing a directive to the Division of Statutory Revision; requiring the State Board of Administration and the Department of Management Services to request a private letter ruling from the United States Internal Revenue Service regarding the act; providing an effective date.

—as amended April 6 was read the third time by title.

Senator Ring moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (705008) (with title amendment)**—Between lines 1853 and 1854 insert:

*7. The effective date for DROP participation is before July 1, 2016.*

*(l) Closure of program to new participants.—Effective July 1, 2016, DROP is closed to new participants. Only members whose DROP effective date is before July 1, 2016, may participate in DROP.*

And the title is amended as follows:

Delete line 56 and insert: rights under the Florida Retirement System; terminating participation in the Deferred Retirement Option Program after a certain date; revising

**Amendment 2 (919816) (with title amendment)**—Delete lines 4657-4683 and insert: *change. Beginning July 1, 2011, each employee, except those participating in the Deferred Retirement Option Program, shall contribute the contributions required in subsection (3) to the plan. The employer shall deduct the contribution from the employee's monthly salary and submit it to the division. The contributions shall be reported as employer-paid employee contributions, and shall be credited to the account of the employee. The contributions shall be deducted from the employee's salary before the computation of applicable federal taxes and treated as employer contributions under 26 U.S.C. 414(h)(2). Although designated as employee contributions, the employer specifies that the contributions are being paid by the employer in lieu of contributions by the employee. The employee does not have the option of choosing to receive the contributed amounts directly instead of having them paid to the plan. Such contributions are mandatory and each employee is deemed to have*

*consented to the payroll deductions. Payment of an employee's salary or wages, less the contribution, is a full and complete discharge and satisfaction of all claims and demands for the service rendered by employees during the period covered by the payment, except for claims to benefits to which they may be entitled under this chapter.*

*(3) Effective July 1, 2011, the required employee retirement contribution rates for all members of the Florida Retirement System shall be 2 percent for gross compensation up to and including \$25,000, 4 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 6 percent for gross compensation greater than \$50,000. This subsection does not apply to members participating in the Deferred Option Retirement Program.*

And the title is amended as follows:

Between lines 152 and 153 insert: providing an exception for participants in the Deferred Retirement Option Program;

## MOTION

On motion by Senator Gaetz, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Gaetz moved the following amendment which was adopted by two-thirds vote:

**Amendment 3 (803074)**—Between lines 4683 and 4684 insert:

*(4) Effective July 1, 2011, the required employee retirement contribution rate for those members of the Elected Officers' Class who are members of the Florida Legislature and all Statewide Elected Officials (for both the pension and investment plans) shall be 3 percent for gross compensation up to and including \$25,000, 5 percent for gross compensation greater than \$25,000 and up to and including \$50,000, and 7 percent for gross compensation greater than \$50,000.*

On motion by Senator Alexander, **SB 2100** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—26

Mr. President	Flores	Norman
Alexander	Gaetz	Rich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Simmons
Dean	Jones	Storms
Detert	Latvala	Thrasher
Diaz de la Portilla	Lynn	Wise
Evers	Negron	

Nays—13

Altman	Joyner	Siplin
Braynon	Margolis	Smith
Dockery	Montford	Sobel
Fasano	Oelrich	
Hill	Sachs	

**CS for CS for SB 1292**—A bill to be entitled An act relating to the Chief Financial Officer; creating s. 215.89, F.S.; providing legislative intent; providing definitions; requiring the Chief Financial Officer to conduct workshops with state agencies, local governments, educational entities, and entities of higher education to gather information pertaining to uniform reporting requirements; requiring the Chief Financial Officer to accept comments from state agencies, local governments, educational entities, entities of higher education, and interested parties regarding proposed charts of account by a certain date; requiring the Chief Financial Officer to adopt charts of account which meet certain requirements by a certain date; requiring a review and update of the charts of account; requiring the Chief Financial Officer to consult with the Legislature, the Auditor General, and the affected parties about certain modifications; requiring the Chief Financial Officer to publish the charts of account by memoranda to all affected reporting entities;

amending s. 120.52, F.S.; revising the definition of the term “rule” to include certain statements, memoranda, or instructions by the Chief Financial Officer on the manner in which accounts and financial information are kept and reported by state agencies, local governments, educational entities, and entities of higher education; providing a declaration of important state interest; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for CS for SB 1292** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2104**—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any

activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser’s bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—was read the third time by title.

## MOTION

On motion by Senator Fasano, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Fasano moved the following amendment:

**Amendment 1 (205014) (with title amendment)**—Delete everything after the enacting clause and insert:

Section 1. Subsections (1), (3), and (4) of section 14.2019, Florida Statutes, are amended to read:

14.2019 Statewide Office for Suicide Prevention.—

(1) The Statewide Office for Suicide Prevention *shall be located in the Department of Children and Family Services* ~~is created as a unit of the Office of Drug Control within the Executive Office of the Governor.~~

(3) Contingent upon a specific appropriation, the director of the *Statewide Office for Suicide Prevention* ~~of Drug Control~~ shall employ a coordinator for the *Statewide office for Suicide Prevention* who shall work under the direction of the director to achieve the goals and objectives set forth in this section.

(4) The Statewide Office for Suicide Prevention may seek and accept grants or funds from any federal, state, or local source to support the operation and defray the authorized expenses of the office and the Suicide Prevention Coordinating Council. Revenues from grants shall be deposited in the Grants and Donations Trust Fund within the *Department of Children and Family Services* ~~Executive Office of the Governor~~. In accordance with s. 216.181(11), the Executive Office of the Governor may request changes to the approved operating budget to allow the expenditure of any additional grant funds collected pursuant to this subsection.

Section 2. Subsection (2) of section 14.20195, Florida Statutes, is amended to read:

14.20195 Suicide Prevention Coordinating Council; creation; membership; duties.—There is created within the Statewide Office for Suicide Prevention a Suicide Prevention Coordinating Council. The council shall develop strategies for preventing suicide.

(2) **MEMBERSHIP.**—The Suicide Prevention Coordinating Council shall consist of ~~27~~ ~~28~~ voting members *and one nonvoting member*.

(a) Thirteen members shall be appointed by the director of the *Statewide Office for Suicide Prevention* ~~of Drug Control~~ and shall represent the following organizations:

1. The Florida Association of School Psychologists.
2. The Florida Sheriffs Association.
3. The Suicide Prevention Action Network USA.
4. The Florida Initiative of Suicide Prevention.
5. The Florida Suicide Prevention Coalition.
6. The American Foundation of Suicide Prevention.

7. The Florida School Board Association.
8. The National Council for Suicide Prevention.
9. The state chapter of AARP.
10. The Florida Alcohol and Drug Abuse Association.
11. The Florida Council for Community Mental Health.
12. The Florida Counseling Association.
13. NAMI Florida.

(b) The following state officials or their designees shall serve on the coordinating council:

1. The Secretary of Elderly Affairs.
2. The State Surgeon General.
3. The Commissioner of Education.
4. The Secretary of Health Care Administration.
5. The Secretary of Juvenile Justice.
6. The Secretary of Corrections.
7. The executive director of the Department of Law Enforcement.
8. The executive director of the Department of Veterans' Affairs.
9. The Secretary of Children and Family Services.
10. The director of the Agency for Workforce Innovation.

(c) The Governor shall appoint four additional members to the coordinating council. The appointees must have expertise that is critical to the prevention of suicide or represent an organization that is not already represented on the coordinating council.

(d) For the members appointed by the director of the *Statewide Office for Suicide Prevention of Drug Control*, seven members shall be appointed to initial terms of 3 years, and seven members shall be appointed to initial terms of 4 years. For the members appointed by the Governor, two members shall be appointed to initial terms of 4 years, and two members shall be appointed to initial terms of 3 years. Thereafter, such members shall be appointed to terms of 4 years. Any vacancy on the coordinating council shall be filled in the same manner as the original appointment, and any member who is appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor. A member is eligible for reappointment.

(e) The director of the *Statewide Office for Suicide Prevention of Drug Control* shall be a nonvoting member of the coordinating council and shall act as chair.

(f) Members of the coordinating council shall serve without compensation. Any member of the coordinating council who is a public employee is entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

Section 3. *Section 311.115, Florida Statutes, is repealed.*

Section 4. Subsections (1), (3), (8), (10), and (11) of section 311.12, Florida Statutes, are amended to read:

311.12 Seaport security.—

(1) SECURITY STANDARDS.—

(a) The statewide minimum standards for seaport security applicable to seaports listed in s. 311.09 shall be those based on the Florida Seaport Security Assessment 2000 and set forth in the Port Security Standards Compliance Plan delivered to the Speaker of the House of Representatives and the President of the Senate on December 11, 2000. ~~The Office of Drug Control within the Executive Office of the Governor shall maintain a sufficient number of copies of the standards at its offices~~

~~for distribution to the public and provide copies to each affected seaport upon request.~~

(b) A seaport may implement security measures that are more stringent, more extensive, or supplemental to the minimum security standards established by this subsection.

(c) The provisions of s. 790.251 are not superseded, preempted, or otherwise modified in any way by the provisions of this section.

(3) SECURITY PLAN.—Each seaport listed in s. 311.09 shall adopt and maintain a security plan specific to that seaport which provides for a secure seaport infrastructure that promotes the safety and security of state residents and visitors and the flow of legitimate trade and travel.

(a) Every 5 years after January 1, 2007, each seaport director, with the assistance of the Regional Domestic Security Task Force and in conjunction with the United States Coast Guard, shall revise the seaport's security plan based on the director's ongoing assessment of security risks, the risks of terrorist activities, and the specific and identifiable needs of the seaport for ensuring that the seaport is in substantial compliance with the minimum security standards established under subsection (1).

(b) Each adopted or revised security plan must be reviewed and approved by the ~~Office of Drug Control and the~~ Department of Law Enforcement for compliance with federal facility security assessment requirements under 33 C.F.R. s. 105.305 and the minimum security standards established under subsection (1). Within 30 days after completion, a copy of the written review shall be delivered to the United States Coast Guard, the Regional Domestic Security Task Force, and the Domestic Security Oversight Council.

(8) WAIVER FROM SECURITY REQUIREMENTS.—~~The Office of Drug Control and the~~ Department of Law Enforcement may modify or waive any physical facility requirement or other requirement contained in the minimum security standards upon a determination that the purposes of the standards have been reasonably met or exceeded by the seaport requesting the modification or waiver. An alternate means of compliance must not diminish the safety or security of the seaport and must be verified through an extensive risk analysis conducted by the seaport director.

(a) Waiver requests shall be submitted in writing, along with supporting documentation, to the ~~Office of Drug Control and the~~ Department of Law Enforcement. ~~The office and the department has~~ have 90 days to jointly grant or reject the waiver, in whole or in part.

(b) The seaport may submit any waivers that are not granted or are jointly rejected to the Domestic Security Oversight Council for review within 90 days. The council shall recommend that ~~the Office of Drug Control and the~~ Department of Law Enforcement grant the waiver or reject the waiver, in whole or in part. ~~The office and the~~ department shall give great weight to the council's recommendations.

(c) A request seeking a waiver from the seaport law enforcement personnel standards established under s. 311.122(3) may not be granted for percentages below 10 percent.

(d) Any modifications or waivers granted under this subsection shall be noted in the annual report submitted by the Department of Law Enforcement pursuant to subsection (10).

(10) REPORTS.—~~The Department of Law Enforcement, in consultation with the Office of Drug Control,~~ shall annually complete a report indicating the observations and findings of all reviews, inspections, or other operations relating to the seaports conducted during the year and any recommendations resulting from such reviews, inspections, and operations. A copy of the report shall be provided to the Governor, the President of the Senate, the Speaker of the House of Representatives, the governing body of each seaport or seaport authority, and each seaport director. The report must include each director's response indicating what actions, if any, have been taken or are planned to be taken pursuant to the observations, findings, and recommendations reported by the department.

(11) FUNDING.—

(a) In making decisions regarding security projects or other funding applicable to each seaport listed in s. 311.09, the Legislature may consider the Department of Law Enforcement's annual report under subsection (10) as authoritative, especially regarding each seaport's degree of substantial compliance with the minimum security standards established in subsection (1).

(b) The Legislature shall regularly review the ongoing costs of operational security on seaports, the impacts of this section on those costs, mitigating factors that may reduce costs without reducing security, and the methods by which seaports may implement operational security using a combination of sworn law enforcement officers and private security services.

(c) Subject to the provisions of this chapter and appropriations made for seaport security, state funds may not be expended for security costs without certification of need for such expenditures by the Office of Ports Administrator within the Department of Law Enforcement.

(d) If funds are appropriated for seaport security, ~~the Office of Drug Control, the Department of Law Enforcement, and the Florida Seaport Transportation and Economic Development Council~~ shall mutually determine the allocation of such funds for security project needs identified in the approved seaport security plans. Any seaport that receives state funds for security projects must enter into a joint participation agreement with the appropriate state entity and use the seaport security plan as the basis for the agreement.

1. If funds are made available over more than 1 fiscal year, the agreement must reflect the entire scope of the project approved in the security plan and, as practicable, allow for reimbursement for authorized projects over more than 1 year.

2. The agreement may include specific timeframes for completion of a security project and the applicable funding reimbursement dates. The agreement may also require a contractual penalty of up to \$1,000 per day to be imposed for failure to meet project completion dates if state funding is available. Any such penalty shall be deposited into the State Transportation Trust Fund and used for seaport security operations and capital improvements.

Section 5. Subsection (1) of section 311.123, Florida Statutes, is amended to read:

311.123 Maritime domain security awareness training program.—

(1) The Florida Seaport Transportation and Economic Development Council, in conjunction with the Department of Law Enforcement ~~and the Office of Drug Control within the Executive Office of the Governor~~, shall create a maritime domain security awareness training program to instruct all personnel employed within a seaport's boundaries about the security procedures required of them for implementation of the seaport security plan required under s. 311.12(3).

Section 6. Paragraphs (a), (b), and (c) of subsection (1) of section 397.333, Florida Statutes, are amended to read:

397.333 Statewide Drug Policy Advisory Council.—

(1)(a) The Statewide Drug Policy Advisory Council ~~shall be located in the Department of Health~~ ~~is created within the Executive Office of the Governor~~. The ~~Surgeon General or his or her designee~~ ~~director of the Office of Drug Control~~ shall be a nonvoting, ex officio member of the advisory council and shall act as chairperson. The director of the Office of Planning and Budgeting or his or her designee shall be a nonvoting, ex officio member of the advisory council. The ~~Department of Health or its successor agency~~ ~~Office of Drug Control and the Office of Planning and Budgeting~~ shall provide staff support for the advisory council.

(b) The following state officials shall be appointed to serve on the advisory council:

1. The Attorney General, or his or her designee.
2. The executive director of the Department of Law Enforcement, or his or her designee.
3. The Secretary of Children and Family Services, or his or her designee.

4. The director of the Office of Planning and Budgeting in the Executive Office of the Governor ~~State Surgeon General~~, or his or her designee.

5. The Secretary of Corrections, or his or her designee.

6. The Secretary of Juvenile Justice, or his or her designee.

7. The Commissioner of Education, or his or her designee.

8. The executive director of the Department of Highway Safety and Motor Vehicles, or his or her designee.

9. The Adjutant General of the state as the Chief of the Department of Military Affairs, or his or her designee.

(c) In addition, the Governor shall appoint 7 ~~11~~ members of the public to serve on the advisory council. Of the 7 ~~11~~ appointed members, one member must have professional or occupational expertise in drug enforcement, one member must have professional or occupational expertise in substance abuse prevention, one member must have professional or occupational expertise in substance abuse treatment, and two members must have professional or occupational expertise in faith-based substance abuse treatment services. The remainder of the members appointed should have professional or occupational expertise in, or be generally knowledgeable about, issues that relate to drug enforcement and substance abuse programs and services. The members appointed by the Governor must, to the extent possible, equitably represent all geographic areas of the state.

Section 7. Paragraph (b) of subsection (2) and subsections (11) and (13) of section 893.055, Florida Statutes, are amended to read:

893.055 Prescription drug monitoring program.—

(2)

(b) The department, ~~when the direct support organization receives at least \$20,000 in nonstate moneys or the state receives at least \$20,000 in federal grants for the prescription drug monitoring program, and in consultation with the Office of Drug Control~~, shall adopt rules as necessary concerning the reporting, accessing the database, evaluation, management, development, implementation, operation, security, and storage of information within the system, including rules for when patient advisory reports are provided to pharmacies and prescribers. The patient advisory report shall be provided in accordance with s. 893.13(7)(a)8. The department shall work with the professional health care licensure boards, such as the Board of Medicine, the Board of Osteopathic Medicine, and the Board of Pharmacy; other appropriate organizations, such as the Florida Pharmacy Association, the Office of Drug Control, the Florida Medical Association, the Florida Retail Federation, and the Florida Osteopathic Medical Association, including those relating to pain management; and the Attorney General, the Department of Law Enforcement, and the Agency for Health Care Administration to develop rules appropriate for the prescription drug monitoring program.

(11) ~~The Office of Drug Control, in coordination with the~~ department, may establish a direct-support organization that has a board consisting of at least five members to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program.

(a) As used in this subsection, the term "direct-support organization" means an organization that is:

1. A Florida corporation not for profit incorporated under chapter 617, exempted from filing fees, and approved by the Department of State.

2. Organized and operated to conduct programs and activities; raise funds; request and receive grants, gifts, and bequests of money; acquire, receive, hold, and invest, in its own name, securities, funds, objects of value, or other property, either real or personal; and make expenditures or provide funding to or for the direct or indirect benefit of the department in the furtherance of the prescription drug monitoring program.

(b) The direct-support organization is not considered a lobbying firm within the meaning of s. 11.045.

(c) The *State Surgeon General* ~~director of the Office of Drug Control~~ shall appoint a board of directors for the direct-support organization. The *State Surgeon General* ~~director~~ may designate ~~employees of the Office of Drug Control~~, state employees other than state employees from the department, and any other nonstate employees as appropriate, to serve on the board. Members of the board shall serve at the pleasure of the *State Surgeon General* ~~director of the Office of Drug Control~~. The *State Surgeon General* or his or her designee ~~director~~ shall provide guidance to members of the board to ensure that moneys received by the direct-support organization are not received from inappropriate sources. Inappropriate sources include, but are not limited to, donors, grantors, persons, or organizations that may monetarily or substantively benefit from the purchase of goods or services by the department in furtherance of the prescription drug monitoring program.

(d) The direct-support organization shall operate under written contract with the *department* ~~Office of Drug Control~~. The contract must, at a minimum, provide for:

1. Approval of the articles of incorporation and bylaws of the direct-support organization by the *department* ~~Office of Drug Control~~.
2. Submission of an annual budget for the approval of the *department* ~~Office of Drug Control~~.
3. Certification by ~~the Office of Drug Control in consultation with~~ the department that the direct-support organization is complying with the terms of the contract in a manner consistent with and in furtherance of the goals and purposes of the prescription drug monitoring program and in the best interests of the state. Such certification must be made annually and reported in the official minutes of a meeting of the direct-support organization.
4. The reversion, without penalty, to ~~the Office of Drug Control, or to~~ the state ~~if the Office of Drug Control ceases to exist~~, of all moneys and property held in trust by the direct-support organization for the benefit of the prescription drug monitoring program if the direct-support organization ceases to exist or if the contract is terminated.
5. The fiscal year of the direct-support organization, which must begin July 1 of each year and end June 30 of the following year.
6. The disclosure of the material provisions of the contract to donors of gifts, contributions, or bequests, including such disclosure on all promotional and fundraising publications, and an explanation to such donors of the distinction between the *department* ~~Office of Drug Control~~ and the direct-support organization.
7. The direct-support organization's collecting, expending, and providing of funds to the department for the development, implementation, and operation of the prescription drug monitoring program as described in this section and s. 2, chapter 2009-198, Laws of Florida, as long as the task force is authorized. The direct-support organization may collect and expend funds to be used for the functions of the direct-support organization's board of directors, as necessary and approved by the *department* ~~director of the Office of Drug Control~~. In addition, the direct-support organization may collect and provide funding to the department in furtherance of the prescription drug monitoring program by:
  - a. Establishing and administering the prescription drug monitoring program's electronic database, including hardware and software.
  - b. Conducting studies on the efficiency and effectiveness of the program to include feasibility studies as described in subsection (13).
  - c. Providing funds for future enhancements of the program within the intent of this section.
  - d. Providing user training of the prescription drug monitoring program, including distribution of materials to promote public awareness and education and conducting workshops or other meetings, for health care practitioners, pharmacists, and others as appropriate.
  - e. Providing funds for travel expenses.
  - f. Providing funds for administrative costs, including personnel, audits, facilities, and equipment.

g. Fulfilling all other requirements necessary to implement and operate the program as outlined in this section.

(e) The activities of the direct-support organization must be consistent with the goals and mission of ~~the Office of Drug Control, as determined by the office in consultation with~~ the department, and in the best interests of the state. The direct-support organization must obtain a written approval from the *State Surgeon General* or his or her designee ~~director of the Office of Drug Control~~ for any activities in support of the prescription drug monitoring program before undertaking those activities.

(f) ~~The Office of Drug Control, in consultation with the~~ department, may permit, without charge, appropriate use of administrative services, property, and facilities of ~~the Office of Drug Control and~~ the department by the direct-support organization, subject to this section. The use must be directly in keeping with the approved purposes of the direct-support organization and may not be made at times or places that would unreasonably interfere with opportunities for the public to use such facilities for established purposes. Any moneys received from rentals of facilities and properties managed by the ~~Office of Drug Control and the~~ department may be held by the *department* ~~Office of Drug Control~~ or in a separate depository account in the name of the direct-support organization and subject to the provisions of the letter of agreement with the *department* ~~Office of Drug Control~~. The letter of agreement must provide that any funds held in the separate depository account in the name of the direct-support organization must revert to the *department* ~~Office of Drug Control~~ if the direct-support organization is no longer approved by the *department* ~~Office of Drug Control~~ to operate in the best interests of the state.

(g) ~~The Office of Drug Control, in consultation with the~~ department, may adopt rules under s. 120.54 to govern the use of administrative services, property, or facilities of the department ~~or office~~ by the direct-support organization.

(h) ~~The state Office of Drug Control~~ may not permit the use of any of its administrative services, property, or facilities of ~~the state~~ by a direct-support organization if that organization does not provide equal membership and employment opportunities to all persons regardless of race, color, religion, gender, age, or national origin.

(i) The direct-support organization shall provide for an independent annual financial audit in accordance with s. 215.981. Copies of the audit shall be provided to the *department* ~~Office of Drug Control and the Office of Policy and Budget in the Executive Office of the Governor~~.

(j) The direct-support organization may not exercise any power under s. 617.0302(12) or (16).

(13) To the extent that funding is provided for such purpose through federal or private grants or gifts and other types of available moneys, the department, ~~in collaboration with the Office of Drug Control~~, shall study the feasibility of enhancing the prescription drug monitoring program for the purposes of public health initiatives and statistical reporting that respects the privacy of the patient, the prescriber, and the dispenser. Such a study shall be conducted in order to further improve the quality of health care services and safety by improving the prescribing and dispensing practices for prescription drugs, taking advantage of advances in technology, reducing duplicative prescriptions and the over-prescribing of prescription drugs, and reducing drug abuse. The requirements of the National All Schedules Prescription Electronic Reporting (NASPER) Act are authorized in order to apply for federal NASPER funding. In addition, the direct-support organization shall provide funding for the department, ~~in collaboration with the Office of Drug Control~~, to conduct training for health care practitioners and other appropriate persons in using the monitoring program to support the program enhancements.

Section 8. Subsections (2) and (5) of section 943.031, Florida Statutes, are amended to read:

943.031 Florida Violent Crime and Drug Control Council.—

(2) MEMBERSHIP.—The council shall consist of 14 members, as follows:

(a) The Attorney General or a designate.



(b) A designate of the executive director of the Department of Law Enforcement.

(c) The secretary of the Department of Corrections or a designate.

(d) The Secretary of Juvenile Justice or a designate.

(e) The Commissioner of Education or a designate.

(f) The president of the Florida Network of Victim/Witness Services, Inc., or a designate.

(g) ~~The policy coordinator in the Public Safety Unit of the Governor's Office of Planning and Budgeting~~ ~~director of the Office of Drug Control within the Executive Office of the Governor~~, or a designate.

(h) The Chief Financial Officer, or a designate.

(i) Six members appointed by the Governor, consisting of two sheriffs, two chiefs of police, one medical examiner, and one state attorney or their designates.

The Governor, when making appointments under this subsection, must take into consideration representation by geography, population, ethnicity, and other relevant factors to ensure that the membership of the council is representative of the state at large. Designates appearing on behalf of a council member who is unable to attend a meeting of the council are empowered to vote on issues before the council to the same extent the designating council member is so empowered.

(5) DUTIES OF COUNCIL.—The council shall provide advice and make recommendations, as necessary, to the executive director of the department.

(a) The council may advise the executive director on the feasibility of undertaking initiatives which include, but are not limited to, the following:

1. Establishing a program ~~that which~~ provides grants to criminal justice agencies that develop and implement effective violent crime prevention and investigative programs and which provides grants to law enforcement agencies for the purpose of drug control, criminal gang, and illicit money laundering investigative efforts or task force efforts that are determined by the council to significantly contribute to achieving the state's goal of reducing drug-related crime ~~as articulated by the Office of Drug Control~~, that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333, subject to the limitations provided in this section. The grant program may include an innovations grant program to provide startup funding for new initiatives by local and state law enforcement agencies to combat violent crime or to implement drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts by law enforcement agencies, including, but not limited to, initiatives such as:

a. Providing enhanced community-oriented policing.

b. Providing additional undercover officers and other investigative officers to assist with violent crime investigations in emergency situations.

c. Providing funding for multiagency or statewide drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts that cannot be reasonably funded completely by alternative sources and that significantly contribute to achieving the state's goal of reducing drug-related crime as articulated by the Office of Drug Control, that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333.

2. Expanding the use of automated fingerprint identification systems at the state and local level.

3. Identifying methods to prevent violent crime.

4. Identifying methods to enhance multiagency or statewide drug control, criminal gang, or illicit money laundering investigative efforts or task force efforts that significantly contribute to achieving the state's goal of reducing drug-related crime as articulated by the Office of Drug Control, that represent significant criminal gang investigative efforts, that represent a significant illicit money laundering investigative effort, or that otherwise significantly support statewide strategies developed by the Statewide Drug Policy Advisory Council established under s. 397.333.

5. Enhancing criminal justice training programs ~~that which~~ address violent crime, drug control, illicit money laundering investigative techniques, or efforts to control and eliminate criminal gangs.

6. Developing and promoting crime prevention services and educational programs that serve the public, including, but not limited to:

a. Enhanced victim and witness counseling services that also provide crisis intervention, information referral, transportation, and emergency financial assistance.

b. A well-publicized rewards program for the apprehension and conviction of criminals who perpetrate violent crimes.

7. Enhancing information sharing and assistance in the criminal justice community by expanding the use of community partnerships and community policing programs. Such expansion may include the use of civilian employees or volunteers to relieve law enforcement officers of clerical work in order to enable the officers to concentrate on street visibility within the community.

(b) The full council shall:

1. Receive periodic reports from regional violent crime investigation and statewide drug control strategy implementation coordinating teams which relate to violent crime trends or the investigative needs or successes in the regions, including discussions regarding the activity of significant criminal gangs in the region, factors, and trends relevant to the implementation of the statewide drug strategy, and the results of drug control and illicit money laundering investigative efforts funded in part by the council.

2. Maintain and use criteria for the disbursement of funds from the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account or any other account from which the council may disburse proactive investigative funds as may be established within the Department of Law Enforcement Operating Trust Fund or other appropriations provided to the Department of Law Enforcement by the Legislature in the General Appropriations Act. The criteria shall allow for the advancement of funds to reimburse agencies regarding violent crime investigations as approved by the full council and the advancement of funds to implement proactive drug control strategies or significant criminal gang investigative efforts as authorized by the Drug Control Strategy and Criminal Gang Committee or the Victim and Witness Protection Review Committee. Regarding violent crime investigation reimbursement, an expedited approval procedure shall be established for rapid disbursement of funds in violent crime emergency situations.

(c) As used in this section, "significant criminal gang investigative efforts" eligible for proactive funding must involve at a minimum an effort against a known criminal gang that:

1. Involves multiple law enforcement agencies.

2. Reflects a dedicated significant investigative effort on the part of each participating agency in personnel, time devoted to the investigation, and agency resources dedicated to the effort.

3. Reflects a dedicated commitment by a prosecuting authority to ensure that cases developed by the investigation will be timely and effectively prosecuted.

4. Demonstrates a strategy and commitment to dismantling the criminal gang via seizures of assets, significant money laundering and organized crime investigations and prosecutions, or similar efforts.

The council may require satisfaction of additional elements, to include reporting criminal investigative and criminal intelligence information

related to criminal gang activity and members in a manner required by the department, as a prerequisite for receiving proactive criminal gang funding.

Section 9. *Subsection (7) of section 1006.07, Florida Statutes, is repealed.*

Section 10. *In accordance with s. 11.242, Florida Statutes, the Division of Statutory Revision of the Office of Legislative Services is requested to prepare a reviser's bill for consideration by the 2012 Regular Session of the Legislature to conform the Florida Statutes to the changes made by this act.*

Section 11. This act shall take effect July 1, 2011.

And the title is amended as follows:

Delete everything before the enacting clause and insert: An act relating to governmental reorganization; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention from the Executive Office of the Governor to the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision requiring the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council from the Executive Office of the Governor to the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

On motion by Senator Hays, further consideration of **SB 2104** with pending **Amendment 1 (205014)** was deferred.

**SB 2106**—A bill to be entitled An act relating to the Florida Energy and Climate Commission; amending ss. 213.053, 220.192, 288.1089, 288.9607, 366.82, and 366.92, F.S.; eliminating the Florida Energy and Climate Commission and transferring its duties with respect to a tax credit, an incentive program, and the state's renewable energy policy to the Department of Environmental Protection; repealing s. 377.6015, F.S., relating to the Florida Energy and Climate Commission; amending ss. 377.602, 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, 377.803, 377.804, 377.806, 377.807, 377.808, 377.809, 403.44, 526.207, and 1004.648, F.S.; amending ss. 1 and 2 of chapter 2010-282, Laws of Florida; transferring the duties of the Florida Energy and Climate Commission with respect to planning and developing the state's energy policy and its duties under the Florida Energy and Climate Protection Act to the Department of Environmental Protection; providing for the transfer of the commission's duties and records, personnel, property, unexpended balances of appropriations, allocations, and other funds, administrative authority, administrative rules, pending issues, and existing contracts to the Department of Environmental Protection; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2106** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Richter
Altman	Gardiner	Ring
Benacquisto	Hays	Sachs
Bogdanoff	Hill	Simmons
Braynon	Jones	Siplin
Dean	Joyner	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—4

Bennett	Dockery	Latvala
Rich		

**SB 2108**—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term "office" as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; providing an effective date.

—as amended April 6 was read the third time by title.

## MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Lynn moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (583560) (with title amendment)**—Delete lines 21-36 and insert:

Section 1. Subsections (6), (7), (8), (9), and (12) of section 39.001, Florida Statutes, are amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has *continued to increase increased rapidly over the past 5 years*. The impact that abuse, abandonment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. To further this end, it is the intent of the Legislature that *the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 – June 2015, be implemented and monitored by the agencies and organizations named within the plan. The Legislature finds that the plan contains low-cost and no cost cross-agency strategies adopted by the Children and Youth Cabinet. These activities are already underway and are privately and federally funded where necessary. No additional funds from the state are being requested for these activities. By February 1, 2015, the Department of Children and Family Services shall report to the Legislature whether the plan has been effective and whether it should be updated and continued* ~~an Office of Adoption and Child Protection be established.~~

**(7) OFFICE OF ADOPTION AND CHILD PROTECTION.—**

(a) ~~For purposes of establishing a comprehensive statewide approach for the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect, the Office of Adoption and Child Protection is created within the Executive Office of the Governor. The Governor shall appoint a Chief Child Advocate for the office.~~

(b) ~~The Chief Child Advocate shall:~~

1. ~~Assist in developing rules pertaining to the promotion of adoption, support of adoptive families, and implementation of child abuse prevention efforts.~~

2. ~~Act as the Governor's liaison with state agencies, other state governments, and the public and private sectors on matters that relate to the promotion of adoption, support of adoptive families, and child abuse prevention.~~

3. ~~Work to secure funding and other support for the state's promotion of adoption, support of adoptive families, and child abuse prevention efforts, including, but not limited to, establishing cooperative relationships among state and private agencies.~~

4. ~~Develop a strategic program and funding initiative that links the separate jurisdictional activities of state agencies with respect to promotion of adoption, support of adoptive families, and child abuse prevention. The office may designate lead and contributing agencies to develop such initiatives.~~

5. ~~Advise the Governor and the Legislature on statistics related to the promotion of adoption, support of adoptive families, and child abuse prevention trends in this state; the status of current adoption programs and services, current child abuse prevention programs and services, the funding of adoption, support of adoptive families, and child abuse prevention programs and services; and the status of the office with regard to the development and implementation of the state strategy for the promotion of adoption, support of adoptive families, and child abuse prevention.~~

6. ~~Develop public awareness campaigns to be implemented throughout the state for the promotion of adoption, support of adoptive families, and child abuse prevention.~~

(c) ~~The office is authorized and directed to:~~

1. ~~Oversee the preparation and implementation of the state plan established under subsection (8) and revise and update the state plan as necessary.~~

2. ~~Provide for or make available continuing professional education and training in the prevention of child abuse and neglect.~~

3. ~~Work to secure funding in the form of appropriations, gifts, and grants from the state, the Federal Government, and other public and private sources in order to ensure that sufficient funds are available for the promotion of adoption, support of adoptive families, and child abuse prevention efforts.~~

4. ~~Make recommendations pertaining to agreements or contracts for the establishment and development of:~~

a. ~~Programs and services for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect.~~

b. ~~Training programs for the prevention of child abuse and neglect.~~

c. ~~Multidisciplinary and discipline specific training programs for professionals with responsibilities affecting children, young adults, and families.~~

d. ~~Efforts to promote adoption.~~

e. ~~Postadoptive services to support adoptive families.~~

5. ~~Monitor, evaluate, and review the development and quality of local and statewide services and programs for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect and shall publish and distribute an annual report of its findings on or before January 1 of each year to the Governor, the Speaker of the House of Representatives, the President of the Senate, the head of each state agency affected by the report, and the appropriate substantive committees of the Legislature. The report shall include:~~

a. ~~A summary of the activities of the office.~~

b. ~~A summary of the adoption data collected and reported to the federal Adoption and Foster Care Analysis and Reporting System (AFCARS) and the federal Administration for Children and Families.~~

c. ~~A summary of the child abuse prevention data collected and reported to the National Child Abuse and Neglect Data System (NCANDS) and the federal Administration for Children and Families.~~

d. ~~A summary detailing the timeliness of the adoption process for children adopted from within the child welfare system.~~

e. ~~Recommendations, by state agency, for the further development and improvement of services and programs for the promotion of adoption, support of adoptive families, and prevention of child abuse and neglect.~~

f. ~~Budget requests, adoption promotion and support needs, and child abuse prevention program needs by state agency.~~

6. ~~Work with the direct support organization established under s. 39.0011 to receive financial assistance.~~

**(8) PLAN FOR COMPREHENSIVE APPROACH.—**

(a) ~~The office shall develop a state plan for the promotion of adoption, support of adoptive families, and prevention of abuse, abandonment, and neglect of children and shall submit the state plan to the Speaker of the House of Representatives, the President of the Senate, and the Governor no later than December 31, 2008. The Department of Children and Family Services, the Department of Corrections, the Department of Education, the Department of Health, the Department of Juvenile Justice, the Department of Law Enforcement, the Agency for Persons with Disabilities, and the Agency for Workforce Innovation shall participate and fully cooperate in the development of the state plan at both the state and local levels. Furthermore, appropriate local agencies and organizations shall be provided an opportunity to participate in the development of the state plan at the local level. Appropriate local groups and organizations shall include, but not be limited to, community mental health centers; guardian ad litem programs for children under the circuit court; the school boards of the local school districts; the Florida local advocacy councils; community based care lead agencies; private or public organizations or programs with recognized expertise in working with child abuse prevention programs for children and families; private or public organizations or programs with recognized expertise in working with children who are sexually abused, physically abused, emotionally abused, abandoned, or neglected and with expertise in working with the families of such children; private or public programs or organizations with expertise in maternal and infant health care; multidisciplinary child protection teams; child day care centers; law enforcement agencies; and the circuit courts, when guardian ad litem programs are not available in the local area. The state plan to be provided to the Legislature~~

and the Governor shall include, as a minimum, the information required of the various groups in paragraph (b).

(b) The development of the state plan shall be accomplished in the following manner:

1. The office shall establish a Child Abuse Prevention and Permanency Advisory Council composed of an adoptive parent who has adopted a child from within the child welfare system and representatives from each state agency and appropriate local agencies and organizations specified in paragraph (a). The advisory council shall serve as the research arm of the office and shall be responsible for:

a. Assisting in developing a plan of action for better coordination and integration of the goals, activities, and funding pertaining to the promotion and support of adoption and the prevention of child abuse, abandonment, and neglect conducted by the office in order to maximize staff and resources at the state level. The plan of action shall be included in the state plan.

b. Assisting in providing a basic format to be utilized by the districts in the preparation of local plans of action in order to provide for uniformity in the district plans and to provide for greater ease in compiling information for the state plan.

c. Providing the districts with technical assistance in the development of local plans of action, if requested.

d. Assisting in examining the local plans to determine if all the requirements of the local plans have been met and, if they have not, informing the districts of the deficiencies and requesting the additional information needed.

e. Assisting in preparing the state plan for submission to the Legislature and the Governor. Such preparation shall include the incorporation into the state plan of information obtained from the local plans, the cooperative plans with the members of the advisory council, and the plan of action for coordination and integration of state departmental activities. The state plan shall include a section reflecting general conditions and needs, an analysis of variations based on population or geographic areas, identified problems, and recommendations for change. In essence, the state plan shall provide an analysis and summary of each element of the local plans to provide a statewide perspective. The state plan shall also include each separate local plan of action.

f. Conducting a feasibility study on the establishment of a Children's Cabinet.

g. Working with the specified state agency in fulfilling the requirements of subparagraphs 2., 3., 4., and 5.

2. The office, the department, the Department of Education, and the Department of Health shall work together in developing ways to inform and instruct parents of school children and appropriate district school personnel in all school districts in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect, and in caring for a child's needs after a report is made. The plan for accomplishing this end shall be included in the state plan.

3. The office, the department, the Department of Law Enforcement, and the Department of Health shall work together in developing ways to inform and instruct appropriate local law enforcement personnel in the detection of child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect.

4. Within existing appropriations, the office shall work with other appropriate public and private agencies to emphasize efforts to educate the general public about the problem of and ways to detect child abuse, abandonment, and neglect and in the proper action that should be taken in a suspected case of child abuse, abandonment, or neglect. The plan for accomplishing this end shall be included in the state plan.

5. The office, the department, the Department of Education, and the Department of Health shall work together on the enhancement or adaptation of curriculum materials to assist instructional personnel in providing instruction through a multidisciplinary approach on the identification, intervention, and prevention of child abuse, abandon-

ment, and neglect. The curriculum materials shall be geared toward a sequential program of instruction at the four progressional levels, K-3, 4-6, 7-9, and 10-12. Strategies for encouraging all school districts to utilize the curriculum are to be included in the state plan for the prevention of child abuse, abandonment, and neglect.

6. Each district of the department shall develop a plan for its specific geographical area. The plan developed at the district level shall be submitted to the advisory council for utilization in preparing the state plan. The district local plan of action shall be prepared with the involvement and assistance of the local agencies and organizations listed in this paragraph, as well as representatives from those departmental district offices participating in the promotion of adoption, support of adoptive families, and treatment and prevention of child abuse, abandonment, and neglect. In order to accomplish this, the office shall establish a task force on the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect. The office shall appoint the members of the task force in accordance with the membership requirements of this section. The office shall ensure that individuals from both urban and rural areas and an adoptive parent who has adopted a child from within the child welfare system are represented on the task force. The task force shall develop a written statement clearly identifying its operating procedures, purpose, overall responsibilities, and method of meeting responsibilities. The district plan of action to be prepared by the task force shall include, but shall not be limited to:

a. Documentation of the magnitude of the problems of child abuse, including sexual abuse, physical abuse, and emotional abuse, and child abandonment and neglect in its geographical area.

b. A description of programs currently serving abused, abandoned, and neglected children and their families and a description of programs for the prevention of child abuse, abandonment, and neglect, including information on the impact, cost effectiveness, and sources of funding of such programs.

c. Information concerning the number of children within the child welfare system available for adoption who need child-specific adoption promotion efforts.

d. A description of programs currently promoting and supporting adoptive families, including information on the impact, cost effectiveness, and sources of funding of such programs.

e. A description of a comprehensive approach for providing post-adoption services. The continuum of services shall include, but not be limited to, sufficient and accessible parent and teen support groups; case management, information, and referral services; and educational advocacy.

f. A continuum of programs and services necessary for a comprehensive approach to the promotion of adoption and the prevention of all types of child abuse, abandonment, and neglect as well as a brief description of such programs and services.

g. A description, documentation, and priority ranking of local needs related to the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect based upon the continuum of programs and services.

h. A plan for steps to be taken in meeting identified needs, including the coordination and integration of services to avoid unnecessary duplication and cost, and for alternative funding strategies for meeting needs through the reallocation of existing resources, utilization of volunteers, contracting with local universities for services, and local government or private agency funding.

i. A description of barriers to the accomplishment of a comprehensive approach to the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect.

j. Recommendations for changes that can be accomplished only at the state program level or by legislative action.

#### (9) FUNDING AND SUBSEQUENT PLANS.—

(a) All budget requests submitted by the office, the department, the Department of Health, the Department of Education, the Department of

Juvenile Justice, the Department of Corrections, the Agency for Persons with Disabilities, the Agency for Workforce Innovation, or any other agency to the Legislature for funding of efforts for the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect shall be based on the state plan developed pursuant to this section.

~~(b) The office and the other agencies and organizations listed in paragraph (8)(a) shall readdress the state plan and make necessary revisions every 5 years, at a minimum. Such revisions shall be submitted to the Speaker of the House of Representatives and the President of the Senate no later than June 30 of each year divisible by 5. At least biennially, the office shall review the state plan and make any necessary revisions based on changing needs and program evaluation results. An annual progress report shall be submitted to update the state plan in the years between the 5 year intervals. In order to avoid duplication of effort, these required plans may be made a part of or merged with other plans required by either the state or Federal Government, so long as the portions of the other state or Federal Government plan that constitute the state plan for the promotion of adoption, support of adoptive families, and prevention of child abuse, abandonment, and neglect are clearly identified as such and are provided to the Speaker of the House of Representatives and the President of the Senate as required above.~~

~~(12) EVALUATION. By February 1, 2009, the Legislature shall evaluate the office and determine whether it should continue to be housed in the Executive Office of the Governor or transferred to a state agency.~~

And the title is amended as follows:

Delete lines 2 and 3 and insert: An act relating to the welfare of children; amending s. 39.001, F.S.; requiring certain agencies and organizations named in the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 - 2015 to implement and monitor the plan; providing legislative findings; requiring the Department of Children and Family Services to report to the Legislature; deleting certain provisions relating to

## THE PRESIDENT PRESIDING

### MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which was adopted by two-thirds vote:

**Amendment 2 (753224) (with title amendment)**—Delete lines 21-84.

And the title is amended as follows:

Delete lines 2-17.

On motion by Senator Lynn, **SB 2108** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

**SB 2110**—A bill to be entitled An act relating to the Auditor General; amending s. 11.45, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; defining the term “operational audit” to provide the objectives of such audits; clarifying the requirement for the Auditor General to conduct financial audits of the accounts and records of all district school boards in counties of a specified size once every 3 years; revising duties and responsibilities of the Auditor General; requiring that the Auditor General conduct operational audits at least every 3 years of certain additional state entities and district school boards and report on the activities of the ad valorem tax program of the Department of Revenue; amending ss. 25.075 and 28.35, F.S.; revising the duties of the Auditor General with respect to responsibilities for auditing certain reports made to the State Supreme Court and the operations of the Florida Clerks of Court Operations Corporation, respectively; repealing s. 195.096(7), F.S., relating to the Auditor General's responsibility for conducting a performance audit of the Department of Revenue's administration of ad valorem tax laws; amending s. 218.31, F.S.; redefining the term “financial audit” to conform with applicable auditing standards; amending s. 273.05, F.S.; revising requirements to issue rules for surplus property; repealing ss. 365.173(3) and 943.25(3), F.S., relating to the Auditor General's responsibilities for auditing the Emergency Communications Number E911 System Fund and criminal justice trust funds, respectively; amending s. 1002.36, F.S.; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; requiring colleges and universities that receive Florida Bright Futures Scholarship Program moneys to submit to the Department of Education a financial audit prepared by an independent certified public accountant or the Auditor General if the college or university expended more than a specified amount of program money; requiring that the audit include an examination of the institute's administration of the program; providing that the audit be submitted to the department within a certain time; requiring any institution that is not subject to the audit to attest, under penalty of perjury, that the moneys were used in compliance with the law; providing for the attestation be made annually in a form and format determined by the Department of Education; reenacting s. 11.40(3), F.S., relating to the Legislative Auditing Committee, to incorporate the amendments made to s. 11.45, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 2110** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise
Flores	Norman	

Nays—None

The Senate resumed consideration of—

**SB 2104**—A bill to be entitled An act relating to the Office of Drug Control; amending s. 14.2019, F.S.; relocating the Statewide Office for Suicide Prevention into the Department of Children and Family Services; requiring the director of the Statewide Office for Suicide Prevention to employ a coordinator for the office; requiring revenues from grants accepted by the Statewide Office for Suicide Prevention to be deposited into the Grants and Donations Trust Fund within the Department of Children and Family Services rather than the Executive

Office of the Governor; amending s. 14.20195, F.S.; requiring the director of the Statewide Office for Suicide Prevention, rather than the director of the Office of Drug Control, to appoint members to the Suicide Prevention Coordinating Council; providing that the director of the Statewide Office for Suicide Prevention is a nonvoting member of the coordinating council; repealing s. 311.115, F.S., relating to Seaport Security Standards Advisory Council within the Office of Drug Control; amending s. 311.12, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to maintain a sufficient number of copies of the standards for seaport security at its offices for distribution to the public and provide copies to each affected seaport upon request; conforming provisions to changes made by the act; amending s. 311.123, F.S.; deleting the provision that requires the Office of Drug Control within the Executive Office of the Governor to create a maritime domain security awareness training program; amending s. 397.331, F.S.; conforming provisions to changes made by the act; repealing s. 397.332, F.S., relating to the creation of the Office of Drug Control; amending s. 397.333, F.S.; relocating the Statewide Drug Policy Advisory Council into the Department of Health; requiring the Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to be a nonvoting, ex officio member of the advisory council; requiring the department to provide staff support for the advisory council; revising the state officials that are appointed to serve on the advisory council; amending s. 893.055, F.S.; conforming provisions to changes made by the act; requiring the State Surgeon General to appoint a board of directors for the direct-support organization to provide assistance, funding, and promotional support for the activities authorized for the prescription drug monitoring program; requiring the State Surgeon General or his or her designee, rather than the director of the Office of Drug Control, to provide guidance to members of the board of directors; requiring the direct-support organization to operate under written contract with the Department of Health rather than the Office of Drug Control; requiring the activities of the direct-support organization to be consistent with the goals and mission of the department rather than the Office of Drug Control; requiring the direct-support organization to obtain a written approval from the State Surgeon General or his or her designee rather than the director of the Office of Drug Control for any activities in support of the prescription drug monitoring program before undertaking the activities; prohibiting the state from permitting use of any of its administrative services, property, or facilities by a direct-support organization under certain circumstances; amending s. 943.031, F.S.; revising the membership of the Florida Violent Crime and Drug Control Council; conforming provisions to changes made by the act; revising the membership of the Drug Control Strategy and Criminal Gang Committee; amending s. 943.042, F.S., relating to the Violent Crime Investigative Emergency and Drug Control Strategy Implementation Account; conforming provisions to changes made by the act; repealing s. 1006.07(7), F.S., relating to suicide prevention education; requesting the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to the changes made by the act; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (205014)** by Senator Fasano was adopted by two-thirds vote.

On motion by Senator Hays, **SB 2104** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

## RECESS

On motion by Senator Thrasher, the Senate recessed at 12:27 p.m. to reconvene at 2:30 p.m. or upon call of the President.

## AFTERNOON SESSION

The Senate was called to order by President Haridopolos at 2:43 p.m. A quorum present—39:

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

## BILLS ON THIRD READING

The Senate resumed consideration of—

**SB 2156**—A bill to be entitled An act relating to governmental reorganization; transferring the functions and trust funds of the Agency for Workforce Innovation to other agencies; transferring the Office of Early Learning Services to the Department of Education; transferring the Office of Unemployment Compensation to Jobs Florida; transferring the Office of Workforce Services to Jobs Florida; transferring the functions and trust funds of the Department of Community Affairs to other agencies; transferring the Florida Housing Finance Corporation to Jobs Florida; transferring the Division of Housing and Community Development to Jobs Florida; transferring the Division of Community Planning to Jobs Florida; transferring the Division of Emergency Management to the Executive Office of the Governor and renaming it as the “Office of Emergency Management”; transferring the Florida Building Commission to the Department of Business and Professional Regulation; transferring the responsibilities under the Florida Communities Trust to the Department of Environmental Protection; transferring the responsibilities under the Stan Mayfield Working Waterfronts program to the Department of Environmental Protection; transferring functions and trust funds of the Office of Tourism, Trade, and Economic Development in the Executive Office of the Governor to Jobs Florida; providing legislative intent with respect to the transfer of programs and administrative responsibilities; providing for a transition period; providing for coordination between the Agency for Workforce Innovation, the Department of Community Affairs, and the Office of Tourism, Trade, and Economic Development and other state agencies to implement the transition; requiring that the Governor appoint a representative to coordinate the transition plan; requiring that the Governor submit information and obtain waivers as required by federal law; authorizing the Governor to transfer funds and positions between agencies upon approval from the Legislative Budget Commission to implement the act; directing the nonprofit entities to enter into a plan for merger; transferring the functions of Space Florida to the Jobs Florida Partnership, Inc.; providing legislative intent with respect to the merger of Enterprise Florida, Inc., the Florida Sports Foundation Incorporated, the Florida Tourism Industry Marketing Corporation d/b/a VISIT Florida, and the Florida Black Business Investment Board, Inc., into and the transfer of Space Florida to the Jobs Florida Partnership, Inc.; providing for a transition period; requiring that the Governor appoint a representative to coordinate the transition plan; providing for the transfer of any funds held in trust by the entities to be transferred to the Jobs Florida Partnership, Inc., to be used for their original purposes; requiring that the Governor submit information and obtain waivers as required by federal law; providing a directive to the Division of Statutory Revision to prepare conforming legislation; creating s. 14.2016, F.S.; establishing the Office of Emergency Management as a separate budget entity within the Executive Office of the Governor; providing for the director of the office to serve at the pleasure of the Governor; amending s. 20.15, F.S.; es-

establishing the Division of Early Learning within the Department of Education; providing for the office to administer the school readiness system and the Voluntary Prekindergarten Education Program; creating s. 20.60, F.S.; creating Jobs Florida as a new department of state government; providing for the commissioner of Jobs Florida to be appointed by the Governor and confirmed by the Senate; establishing divisions of Jobs Florida and specifying their responsibilities; providing for Jobs Florida to serve as the designated agency for the purposes of federal workforce development grants; authorizing Jobs Florida to contract for training for employees of administrative entities and case managers of contracted providers; specifying that the Unemployment Appeals Commission is not subject to control, supervision, or direction from Jobs Florida; specifying the responsibilities of the commissioner of Jobs Florida; limiting the amount of the commissioner's public remuneration; specifying powers and responsibilities of the Chief Inspector General in the Executive Office of the Governor with respect to Jobs Florida; providing for Jobs Florida to have an official seal; providing for Jobs Florida to administer the role of state government with respect to laws relating to housing; authorizing Jobs Florida to adopt rules; amending s. 112.044, F.S.; requiring an employer, employment agency, and labor organization to post notices required by the United States Department of Labor and the United States Equal Employment Opportunity Commission; amending s. 163.3164, F.S.; redefining the terms "state land planning agency" and "optional sector plans"; amending ss. 163.3177 and 163.3180, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.3184, F.S.; creating exceptions to requirements for comprehensive plan amendments to be reviewed by the state land planning agency; requiring the state land planning agency to submit a copy of a comprehensive plan or plan amendment that relates to or includes a public schools facilities element to the Department of Education; amending s. 163.3191, F.S.; creating exceptions to requirements for a local government to prepare an evaluation and appraisal report to assess progress in implementing the local government's comprehensive plan; deleting requirements for a local government to include in an evaluation and appraisal report certain statements to update a comprehensive plan; deleting a requirement for a local government to provide a proposed evaluation and appraisal report to certain entities and interested citizens; deleting provisions relating to a requirement for a local government to adopt an evaluation and appraisal report; providing for the report to be submitted as data and analysis in support of the amendments based on evaluation and appraisal report; deleting provisions relating to the delegation of the review of evaluation and appraisal reports; authorizing the state land planning agency to establish a phased schedule for adoption of amendments based on an evaluation and appraisal report; deleting a requirement for the state land planning agency to review the evaluation and appraisal report process and submit a report to the Governor and the Legislature regarding its findings; amending s. 163.3245, F.S.; renaming optional sector plans as sector plans; increasing the minimum size of geographic areas that qualify for the use of sector plans; revising terminology relating to such plans; deleting obsolete provisions; renaming long-term conceptual buildout overlays as long-term master plans; revising the content required to be included in long-term master plans and detailed specified area plans; requiring identification of water development projects and transportation facilities to serve future development needs; exempting certain developments from the requirement to develop a detailed specific area plan; providing that detailed specific area plans shall be adopted by local development orders; requiring that detailed specific area plans include a buildout date and precluding certain changes in the development until after that date; authorizing certain development agreements between the developer and the local government; providing for continuation of certain existing land uses; amending s. 163.3246, F.S.; deleting the word "optional" from the phrase "optional sector plans" to conform to changes made by the act; amending s. 163.32465, F.S.; making the alternative state review of comprehensive plan amendments applicable statewide; amending s. 215.559, F.S.; providing for the Hurricane Loss Mitigation Program to be housed within the Office of Emergency Management; extending the repeal date of the program; deleting an obsolete provision relating to the use of funds for programs to retrofit certain existing hurricane shelters; creating s. 288.005, F.S.; defining the terms "economic benefits" and "commissioner"; creating s. 288.048, F.S.; creating the incumbent worker training program within Jobs Florida; providing for the program to provide preapproved, direct, training-related costs; providing for the administration of the program by Jobs Florida in conjunction with Workforce Florida, Inc.; amending s. 288.061, F.S.; providing for Jobs Florida and the Jobs Florida Partnership, Inc., to review applications for

state economic development incentives; authorizing Jobs Florida to enter into an agreement with an applicant relating to all incentives offered by the state; amending s. 288.095, F.S.; providing for the Economic Development Incentives account to be used for certain economic development incentives programs; providing for Jobs Florida to approve applications for certification or requests for participation in certain economic development programs; amending s. 288.1081, F.S.; providing for the Economic Gardening Business Loan Pilot Program to be administered by Jobs Florida; deleting provisions providing for certain funds to be deposited into the General Revenue Fund; deleting provisions that provide for the future repeal of the program; amending s. 288.1082, F.S.; providing for the Economic Gardening Technical Assistance Pilot Program to be administered by Jobs Florida; requesting the Division of Statutory Revision to rename part VII of ch. 288, F.S., as "Jobs Florida Partnership, Inc."; amending s. 288.901, F.S.; creating the Jobs Florida Partnership, Inc., as a nonprofit corporation; specifying that the partnership is subject to the provisions of chs. 119 and 286, F.S.; specifying that the partnership's board of directors is subject to certain requirements in ch. 112, F.S.; specifying the purposes of the partnership; creating the board of directors for the partnership; naming the Governor as chair of the board of directors; specifying appointment procedures, terms of office, selecting a vice chairperson, filling vacancies, and removing board members; providing for the appointment of at-large members to the board of directors; specifying terms; allowing the at-large members to make contributions to the partnership; specifying that the commissioner of Jobs Florida and the chairs of the advisory councils for each division shall serve as ex officio, nonvoting members of the board of directors; specifying that members of the board of directors shall serve without compensation, but are entitled to reimbursement for all reasonable, necessary, and actual expenses as determined by the board of directors; amending s. 288.9015, F.S.; specifying the powers of the partnership and the board of directors; authorizing liberal construction of the partnership's statutory powers; prohibiting the partnership from pledging the full faith and credit of the state; allowing the partnership to indemnify, purchase, and maintain insurance on its board members, officers, and employees; amending s. 288.903, F.S.; specifying the duties of the partnership; amending s. 288.904, F.S.; providing for legislative appropriations; requiring a private match equal to at least 35 percent of the appropriation of public funds; specifying potential sources of private funding; directing the board of directors to develop annual budgets; providing for the partnership to enter into an agreement with Jobs Florida; requiring performance measures; requiring review of the partnership's activities as a return on the public's financial investment; directing the partnership to consult with the Office of Economic and Demographic Research when hiring an economic analysis firm to prepare the return on investment analysis and when hiring a survey research firm to develop, analyze and report on the results of its customer satisfaction survey; amending s. 288.905, F.S.; directing the partnership's board of directors to hire a president, who shall serve at the pleasure of the Governor; defining the president's role and responsibilities; specifying that no employee of the partnership shall earn more than the Governor, but provides for the granting of performance-based incentive payments to employees that may increase their total compensation in excess of the Governor's; amending s. 288.906, F.S.; requiring the partnership to prepare an annual report by December 1 of each year; specifying the content of the annual report; creating s. 288.907, F.S.; requiring the partnership to create an annual incentives report; specifying the required components of the report; amending s. 288.911, F.S.; requiring the partnership to promote and market this state to businesses in target industries and high-impact industries; creating s. 288.912, F.S.; requiring that certain counties and municipalities annually provide to the partnership an overview of certain local economic development activities; creating s. 288.92, F.S.; specifying divisions within the partnership; providing for hiring of staff; requiring each division to have a 15-member advisory council; specifying selection and appointments to the advisory council; creating s. 288.921, F.S.; creating the Division of International Trade and Business Development; specifying its responsibilities; providing for administration of a grant program; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.922, F.S.; creating the Division of Business Retention and Recruitment; specifying its responsibilities; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.923, F.S.; creating the Division of Tourism Marketing; providing definitions; specifying the division's responsibilities and duties, including a 4-year marketing plan; specifying minimum responsibilities of the advisory board; requiring an annual report; creating s. 288.925, F.S.; creating the Division of Minority Business Develop-

ment; specifying the division's responsibilities and duties; requiring an annual report; specifying minimum responsibilities of the advisory council; transferring, renumbering, and amending s. 288.1229, F.S.; creating the Division of Sports Industry Development; specifying the division's responsibilities; requiring an annual report; specifying minimum responsibilities of the advisory board; advisory board; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to Jobs Florida to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; authorizing Jobs Florida to approve the amendment application subject to certain requirements; requiring that Jobs Florida establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to Jobs Florida for designation of an enterprise zone; providing application requirements; authorizing Jobs Florida to designate an enterprise zone in Martin County; providing responsibilities of Jobs Florida; amending s. 409.942, F.S.; deleting requirements that Workforce Florida, Inc., establish an electronic transfer benefit program; amending s. 411.0102, F.S.; requiring each participating early learning coalition board to develop a plan for the use of child care purchasing pool funds; amending s. 1002.73, F.S.; requiring the Department of Education to administer the operational requirements of the Voluntary Prekindergarten Education Program; requiring the Department of Education to adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts; requiring the Department of Education to adopt procedures for the distribution of funds to early learning coalitions; amending ss. 11.45, 14.20195, 15.18, 15.182, 16.615, 39.001, 45.031, 69.041, 112.3135, 119.071, 120.80, 125.01045, 159.803, 159.8081, 159.8083, 161.54, 163.03, 163.3178, 163.3221, 163.360, 166.0446, 175.021, 186.504, 186.505, 202.037, 212.08, 212.096, 212.097, 212.098, 212.20, 213.053, 215.5586, 216.136, 216.292, 216.231, 218.64, 220.03, 220.183, 220.191, 222.15, 250.06, 252.32, 252.34, 252.35, 252.355, 252.3568, 252.36, 252.365, 252.37, 252.371, 252.373, 252.38, 252.385, 252.40, 252.41, 252.42, 252.43, 252.44, 252.46, 252.55, 252.60, 252.61, 252.82, 252.83, 252.85, 252.86, 252.87, 252.88, 252.936, 252.937, 252.943, 252.946, 255.099, 259.035, 260.0142, 272.11, 282.34, 282.709, 287.09431, 287.09451, 287.0947, 288.012, 288.017, 288.018, 288.019, 288.021, 288.035, 288.047, 288.065, 288.0655, 288.0656, 288.06561, 288.0657, 288.0658, 288.0659, 288.075, 288.1045, 288.106, 288.107, 288.108, 288.1083, 288.1088, 288.1089, 288.1095, 288.1162, 288.11621, 288.1168, 288.1169, 288.1171, 288.122, 288.12265, 288.124, 288.1251, 288.1252, 288.1253, 288.1254, 288.386, 288.7011, 288.7015, 288.705, 288.706, 288.7094, 288.7102, 288.714, 288.773, 288.774, 288.776, 288.7771, 288.816, 288.809, 288.826, 288.95155, 288.955, 288.9519, 288.9520, 288.9603, 288.9604, 288.9605, 288.9606, 288.9614, 288.9624, 288.9625, 288.975, 288.980, 288.984, 288.9913, 288.9914, 288.9916, 288.9917, 288.9918, 288.9919, 288.9920, 288.9921, 290.004, 290.0055, 290.0056, 290.0065, 290.0066, 290.00710, 290.0072, 290.00725, 290.0073, 290.0074, 290.0077, 290.014, 311.09, 311.11, 311.115, 311.22, 320.08058, 331.302, 331.3081, 331.369, 339.08, 339.135, 364.0135, 377.703, 377.711, 377.712, 377.804, 380.031, 380.06, 380.115, 380.285, 381.0054, 381.0086, 381.7354, 381.855, 383.14, 402.281, 402.45, 402.56, 403.42, 403.7032, 403.733, 409.017, 409.1451, 409.2576, 409.944, 409.946, 411.01, 411.0101, 411.01013, 411.01014, 411.01015, 411.0103, 411.0104, 411.0106, 411.011, 411.226, 411.227, 414.24, 414.40, 414.295, 414.411, 420.631, 420.635, 429.907, 440.12, 440.15, 440.381, 440.385, 440.49, 443.012, 443.036, 443.041, 443.051, 443.071, 443.091, 443.101, 443.1113, 443.1115, 443.1116, 443.1215, 443.1216, 443.1217, 443.131, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.151, 443.163, 443.171, 443.1715, 443.181, 443.191, 443.211, 443.221, 445.002, 445.003, 445.004, 445.006, 445.007, 445.009, 445.016, 445.024, 445.0325, 445.038, 445.045, 445.048, 445.049, 445.051, 445.056, 446.41, 446.44, 446.50, 446.52, 448.109, 448.110, 450.161, 450.191, 450.31, 464.203, 468.529, 469.002, 469.003, 489.1455, 489.5335, 526.143, 526.144, 551.104, 553.62, 570.248, 570.96, 597.006, 624.5105, 625.3255, 627.0628, 657.042, 658.67, 768.13, 943.03, 943.03101, 943.0311, 943.0312, 943.0313, 944.012, 944.708, 944.801, 945.10, 985.601, 1002.375, 1002.53, 1002.55, 1002.61, 1002.63, 1002.67, 1002.69, 1002.71, 1002.72, 1002.77, 1002.79, 1003.491, 1003.492, 1003.493, 1003.575, 1003.4285, 1003.493, 1004.226, 1004.65, 1004.77, 1004.78, 1008.39, 1008.41, 1011.76, and 1012.2251, F.S.; conforming provisions to changes made by the act; conforming cross-references; deleting obsolete provisions; transferring, renumbering, and amending ss. 20.505 and 1004.99, F.S.; conforming provisions to changes made by the act; repealing s. 14.2015, F.S., which relates to the creation of the Office of Tourism, Trade, and Economic Development; repealing s. 20.18, F.S., which relates to the creation of the Department of Community Affairs; repealing s. 20.50, F.S., which relates

to the creation of the Agency for Workforce Innovation; repealing ss. 255.551, 255.552, 255.553, 255.5535, 255.555, 255.556, 255.557, 255.5576, 255.558, 255.559, 255.56, 255.561, 255.562, and 255.563, F.S., which relates to the abatement of asbestos in state buildings; repealing s. 287.115, F.S., which relates to a requirement for the Chief Financial Officer to submit a report on contractual service contracts disallowed; repealing s. 288.038, F.S., which relates to agreements appointing county tax collectors as an agent of the Department of Labor and Employment Security for licenses and other similar registrations; repealing s. 288.063, F.S., which relates to contracts for transportation projects with the Office of Tourism, Trade, and Economic Development; repealing ss. 288.1221, 288.1222, 288.1223, 288.1224, 288.1226, and 288.1227, F.S., which relate to the Florida Commission on Tourism and the Florida Tourism Industry Marketing Corporation; repealing ss. 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, F.S., which relate to the Black Business Investment Board; repealing s. 288.12295, F.S., which relates to a public records exemption for donors for a direct support organization on promotion and development of sports-related industries and amateur athletics; repealing s. 288.90151, F.S., which relates to return on investment from activities of Enterprise Florida, Inc.; repealing s. 288.9415, F.S., which relates to Enterprise Florida, Inc., and international trade grants; repealing s. 288.9618, F.S., which relates to an economic development program for microenterprises; repealing s. 288.982, F.S., which relates to a public records exemption for certain records relating to the United States Department of Defense Base Realignment and Closure 2005 process; repealing s. 411.0105, F.S., which designates the Agency for Workforce Innovation as the lead agency to administer specified federal laws; amending s. 443.111, F.S.; providing that unemployment benefits are payable electronically, except that an individual being paid by paper warrant on a specified date may continue to be paid in that manner until the expiration of a claim for unemployment compensation; conforming provisions to changes made by the act; repealing s. 446.60, F.S., which relates to assistance for displaced local exchange telecommunications company workers; repealing s. 1002.75, F.S., relating to the powers and duties of the Agency for Workforce Innovation; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 7 (706040)** by Senators Lynn and Wise was adopted by two-thirds vote.

## MOTION

On motion by Senator Lynn, by the required two-thirds vote, consideration of the following amendment was allowed:

Senators Lynn and Wise offered the following amendment which was moved by Senator Lynn and adopted by two-thirds vote:

**Amendment 8 (715056)**—Delete line 3948 and insert: Pre-kindergarten Education Program at the state level. *The department shall ensure the preservation of parental choice by permitting parents to choose from a variety of child care categories, including: Center-based child care; Group home child care; Family child care; and In-home child care. Under each of the above categories, care and curriculum by a sectarian provider may not be limited or excluded.*

On motion by Senator Gaetz, **SB 2156** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Latvala	Siplin
Dean	Lynn	Smith
Detert	Margolis	Sobel
Diaz de la Portilla	Montford	Storms
Evers	Negron	Thrasher
Fasano	Norman	Wise



Nays—2

Dockery

Joyner

Vote after roll call:

Yea—Flores

**CS for CS for SB 1314**—A bill to be entitled An act relating to state financial matters; amending s. 216.011, F.S.; defining the term “lease or lease-purchase of equipment”; amending s. 216.023, F.S.; requiring that specified information relating to certain contracts be included in an agency’s legislative budget request; amending s. 216.311, F.S.; defining the terms “contract” and “agreement”; prohibiting an agency or branch of state government, without legislative authority, from contracting to pay liquidated damages or early termination fees resulting from the breach or early termination of a contract or agreement, from paying interest because of insufficient budget authority to pay an obligation in the current year, from obligating the state to make future payments to cover unpaid payments, or from granting a party the right to collect fees or other revenues from nonparties; providing certain exemptions; prohibiting an agency from entering into certain leases without authorization by the Legislature or the Legislative Budget Commission; creating s. 216.312, F.S.; requiring the executive and judicial branch to notify the Governor and Legislature before entering into contracts containing certain provisions relating to expenditures; providing an exception for the Department of Transportation; transferring, renumbering, and amending s. 287.0582, F.S.; requiring a state contract to identify the appropriation that funds a contract; expanding the statement that must be included in state contracts to include grounds for terminating the contract based on budget deficits; requiring the judicial branch to include the statement in its contracts; requiring the agency head, executive director, or chief judge, as appropriate, or a designated senior management employee, to sign contracts that exceed a specified amount; requiring the agency head, executive director, or chief judge to review certain contracts and certify compliance with ch. 216, F.S.; requiring contracts exceeding a specified amount to require written acceptance or rejection of contract deliverables; providing that contracts in violation of these provisions are null and void; providing penalties; amending s. 287.063, F.S.; prohibiting certain lease or deferred-payment purchases by state agencies unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending s. 287.064, F.S.; prohibiting certain master equipment financing agreements unless expressly authorized by the Legislature in the General Appropriations Act or by the Legislative Budget Commission; amending ss. 376.3075 and 403.1837, F.S.; conforming cross-references; repealing s. 287.056(2), F.S., relating to provisions providing agencies with the option of purchasing services from state term contracts; amending s. 45, chapter 2010-151, Laws of Florida; providing that certain contracts are subject to transaction fees; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for CS for SB 1314** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Rich
Altman	Gardiner	Richter
Benacquisto	Hays	Ring
Bennett	Hill	Sachs
Bogdanoff	Jones	Simmons
Braynon	Joyner	Siplin
Dean	Latvala	Smith
Detert	Lynn	Sobel
Diaz de la Portilla	Margolis	Storms
Dockery	Montford	Thrasher
Evers	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Flores

## MOTIONS

On motion by Senator Alexander, the rules were waived and staff of the Committee on Budget was instructed to make title amendments and technical changes in **SB 2000** and **SB 2002** as necessary.

On motion by Senator Alexander, by two-thirds vote the following Senate budget bills passed this day were ordered immediately certified to the House: **SB 2000, SB 2002, SB 2120, SB 2150, SB 2114, SB 2116, SB 2118, SB 2112, SB 2144, SB 2146, SB 2148, SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2142, SB 2152, SB 2154, SB 2156, SB 2160, SB 2162, SB 2094, CS for SB 1738, SB 2096, SB 2098, SB 2100, CS for CS for SB 1292, SB 2104, SB 2106, SB 2110, and CS for CS for SB 1314**

On further motion by Senator Alexander, the House was requested to pass the Senate budget bills listed above as passed by the Senate; or agree to include these bills in the budget conference.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 143 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. “Bob” Ward, Clerk*

**CS for HB 143**—A bill to be entitled An act relating to tax credits; amending s. 220.02, F.S.; revising the priority of tax credits that may be taken against the corporate income tax or the franchise tax; amending s. 220.13, F.S.; redefining the term “adjusted federal income” to include the amount of certain tax credits; creating s. 220.1811, F.S.; authorizing aerospace-sector jobs tax credits and tuition reimbursement tax credits; defining terms; authorizing a tax credit to aerospace businesses based on the salary or tuition reimbursed to certain employees; specifying the maximum annual amount of tax credits for an aerospace business; limiting the annual amount of tax credits available; prohibiting a business from claiming an aerospace-sector jobs tax credit and a tuition reimbursement tax credit, or any other state tax credit or tax incentive refund, for the same employee; providing for the Department of Revenue to approve applications for tax credits; prohibiting increases in the amount of unused tax credits carried over in amended tax returns; providing fines and criminal penalties for certain unlawful claims of tax credits; authorizing the Department of Revenue to adopt rules; providing for the expiration of the tax credit program; providing for applicability; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 143** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instant.

On motion by Senator Alexander, by two-thirds vote **CS for HB 143** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (740310) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 143** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—2

Joyner	Rich
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The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 641 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**CS for HB 641**—A bill to be entitled An act relating to the contaminated site rehabilitation tax credit; amending s. 220.1845, F.S.; increasing the annual tax credit cap; amending s. 376.30781, F.S.; conforming references; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 641** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instant.

On motion by Senator Alexander, by two-thirds vote **CS for HB 641** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (831470) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 641** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 733 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**CS for HB 733**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during this year when the sale of clothing, wallets, bags, school supplies, and textbooks are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt emergency rules; providing an appropriation; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for HB 733** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instant.

On motion by Senator Alexander, by two-thirds vote **CS for HB 733** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (133410) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 733** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Negron
Alexander	Flores	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Ring
Bogdanoff	Hays	Sachs
Braynon	Hill	Simmons
Dean	Jones	Siplin
Detert	Joyner	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Thrasher
Evers	Montford	Wise

Nays—2

Latvala	Rich
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Vote after roll call:

Yea—Storms

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 873 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**CS for CS for HB 873**—A bill to be entitled An act relating to corporate tax credits and refunds; amending s. 14.2015, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to administer corporate income tax credits for spaceflight projects; amending s. 213.053, F.S.; authorizing the Department of Revenue to share information relating to corporate income tax credits for spaceflight projects with the Office of Tourism, Trade, and Economic Development; amend-

ing s. 220.02, F.S.; revising the order in which credits against the corporate income tax or franchise tax may be taken to include credits for spaceflight projects; amending s. 220.13, F.S.; requiring that the amount taken as a credit for a spaceflight project be added to taxable income; prohibiting a deduction from taxable income for any net operating loss taken as a credit against corporate income taxes or transferred; amending s. 220.16, F.S.; requiring that the amount of payments received in exchange for transferring a net operating loss for spaceflight projects be allocated to the state; creating s. 220.194, F.S.; providing a short title; providing legislative purpose; defining terms; authorizing a certified spaceflight business to take or transfer corporate income tax credits related to spaceflight projects carried out in this state; specifying tax credit amounts and business eligibility criteria; providing limitations; requiring a business to demonstrate to the satisfaction of the office and the department its eligibility to claim a tax credit; requiring a business to submit an application to the office for approval to earn credits; specifying the required contents of the application; requiring the office to approve or deny an application within 60 days after receipt; specifying the approval process; requiring a spaceflight business to submit an application for certification to the office; specifying the required contents of an application for certification; specifying the approval process; requiring the office to submit a copy of an approved certification to the department; providing procedures for transferring a tax credit to a taxpayer; authorizing the department to perform audits and investigations necessary to verify the accuracy of returns relating to the tax credit; specifying circumstances under which the office may revoke or modify a certification that grants eligibility for tax credits; requiring a certified spaceflight business to file an amended return and pay any required tax within 60 days after receiving notice that previously approved tax credits have been revoked or modified; authorizing the department to assess additional taxes, interest, or penalties; authorizing the office and the department to adopt rules; requiring the office to submit an annual report to the Governor and Legislature regarding the Florida Space Business Incentives Act; amending s. 288.1045, F.S.; increasing the maximum amount of tax refund a defense or space flight contractor may receive; amending s. 288.106, F.S.; increasing the maximum amount of tax refund a qualified target industry business may receive; providing for application; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **CS for CS for HB 873** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instantner.

On motion by Senator Alexander, by two-thirds vote **CS for CS for HB 873** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (762206) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for CS for HB 873** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Montford
Alexander	Flores	Negron
Altman	Gaetz	Norman
Benacquisto	Garcia	Oelrich
Bennett	Gardiner	Richter
Bogdanoff	Hays	Ring
Braynon	Hill	Sachs
Dean	Jones	Simmons
Detert	Joyner	Siplin
Diaz de la Portilla	Latvala	Smith
Dockery	Lynn	Sobel
Evers	Margolis	Storms

Thrasher

Wise

Nays—1

Rich

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7203 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

**HB 7203**—A bill to be entitled An act relating to economic development; amending ss. 72.011 and 72.041, F.S.; deleting a reference to conform to changes made by this act; amending ss. 220.02 and 220.13, F.S.; revising references to conform to changes made by this act; amending s. 220.131, F.S.; conforming provisions to changes made by this act; creating s. 220.153, F.S.; defining the terms "full-time employee" and "qualified capital expenditures"; providing for the apportionment of certain taxpayer's adjusted federal income solely by the sales factor provided in s. 220.15, F.S.; providing for eligibility based on the taxpayer's capital expenditures and number of full-time employees; providing an application process; authorizing the Department of Revenue to examine and verify that a taxpayer has correctly apportioned its taxes; authorizing the Office of Tourism, Trade, and Economic Development to approve and revoke approval of an application; providing for the recapture of unpaid taxes, interest, and penalties; authorizing the Office of Tourism, Trade, and Economic Development and the Department of Revenue to adopt rules; creating s. 220.194, F.S.; creating a corporate income tax credit to continue credits available under the emergency excise tax; amending ss. 220.801, 213.05, 213.053, and 213.255, F.S.; deleting references to conform to changes made by this act; authorizing the department to share information with the office relating to single sales factor apportionment used by a taxpayer; repealing chapter 221, F.S.; repealing the emergency excise tax and related provisions; amending ss. 288.075, 288.1045, and 288.106, F.S.; deleting references to conform to changes made by this act; amending s. 288.1254, F.S.; revising a definition and providing definitions; revising criteria for awarding tax credits and increasing the amount of credits to be awarded under the entertainment industry financial incentive program; revising the application procedure and approval process; amending s. 288.1258, F.S.; changing the recordkeeping requirements of the Office of Film and Entertainment; amending s. 290.0055, F.S.; authorizing certain governing bodies to apply to the Office of Tourism, Trade, and Economic Development to amend the boundary of an enterprise zone that includes a rural area of critical economic concern; providing a limitation; providing an application deadline; authorizing the office to approve the amendment application subject to certain requirements; requiring the office to establish the effective date of certain enterprise zones; creating s. 290.00726, F.S.; authorizing Martin County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Martin County; providing responsibilities of the office; creating s. 290.00727, F.S.; authorizing the City of Palm Bay to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in the City of Palm Bay; providing responsibilities of the office; creating s. 290.00728, F.S.; authorizing Lake County to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing application requirements; authorizing the office to designate an enterprise zone in Lake County; providing responsibilities of the office; amending ss. 334.30, 624.509, and 624.51055, F.S.; deleting references to conform to changes made by this act; authorizing the executive director of the Department of Revenue to adopt emergency rules; providing appropriations; providing effective dates.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 7203** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instantner.

On motion by Senator Alexander, by two-thirds vote **HB 7203** was read the second time by title.

Senator Bogdanoff offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (482612) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7203** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hays	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Latvala	Sobel
Detert	Lynn	Storms
Diaz de la Portilla	Margolis	Thrasher
Dockery	Montford	Wise
Evers	Negron	
Fasano	Norman	

Nays—2

Joyner Rich

## MOTIONS

On motion by Senator Alexander, the Senate having passed **CS for HB 143, CS for HB 641, CS for HB 733, CS for CS for HB 873, and HB 7203** with amendments acceded to the request of the House to include these bills in the budget conference.

## RECONSIDERATION OF BILL

On motion by Senator Lynn, the Senate reconsidered the vote by which—

**SB 2108**—A bill to be entitled An act relating to the welfare of children; repealing s. 39.001(7), (8), (9), and (12), F.S., relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.001, F.S.; removing obsolete provisions relating to the Office of Adoption and Child Protection within the Executive Office of the Governor; amending s. 39.0014, F.S.; requiring all state, county, and local agencies to cooperate, assist, and provide information to the Department of Children and Family Services rather than the Office of Adoption and Child Protection; repealing s. 39.01(46), F.S., relating to the definition of the term “office” as it relates to the Office of Adoption and Child Protection; amending s. 39.302, F.S.; conforming a cross-reference; providing an effective date.

—as amended passed this day.

## RECONSIDERATION OF AMENDMENTS

On motion by Senator Lynn, the Senate reconsidered the vote by which **Amendment 1 (583560)** was adopted.

**Amendment 1 (583560)** was withdrawn.

On motion by Senator Storms, the Senate reconsidered the vote by which **Amendment 2 (753224)** was adopted.

**Amendment 2 (753224)** was withdrawn.

## MOTION

On motion by Senator Storms, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Storms moved the following amendment which was adopted by two-thirds vote:

**Amendment 3 (654660) (with title amendment)**—Delete lines 21-83 and insert:

Section 1. Subsection (6) of section 39.001, Florida Statutes, is amended to read:

39.001 Purposes and intent; personnel standards and screening.—

(6) **LEGISLATIVE INTENT FOR THE PREVENTION OF ABUSE, ABANDONMENT, AND NEGLECT OF CHILDREN.**—The incidence of known child abuse, abandonment, and neglect has *continued to increase increased rapidly over the past 5 years*. The impact that abuse, abandonment, or neglect has on the victimized child, siblings, family structure, and inevitably on all citizens of the state has caused the Legislature to determine that the prevention of child abuse, abandonment, and neglect shall be a priority of this state. To further this end, it is the intent of the Legislature that an Office of Adoption and Child Protection be established. *It is further the intent of the Legislature that Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 – June 2015, be implemented and monitored by the agencies and organizations named within the plan. The Legislature finds that the plan contains low-cost and no cost cross-agency strategies adopted by the Children and Youth Cabinet. These activities are already underway and are privately and federally funded where necessary. No additional funds from the state are being requested for these activities. By February 1, 2015, the Department of Children and Family Services shall report to the Legislature whether the plan has been effective and whether it should be updated and continued.*

And the title is amended as follows:

Delete lines 2-17 and insert: An act relating to the welfare of children; amending s. 39.001, F.S.; requiring certain agencies and organizations named in the Florida Prevention of Child Abuse, Abandonment and Neglect Plan: July 2010 - 2015 to implement and monitor the plan; providing legislative findings; requiring the Department of Children and Family Services to report to the Legislature; providing an effective date.

On motions by Senator Lynn, **SB 2108** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Norman
Alexander	Gaetz	Oelrich
Altman	Garcia	Rich
Benacquisto	Gardiner	Richter
Bennett	Hays	Ring
Bogdanoff	Hill	Sachs
Braynon	Jones	Simmons
Dean	Joyner	Siplin
Detert	Latvala	Smith
Diaz de la Portilla	Lynn	Sobel
Dockery	Margolis	Storms
Evers	Montford	Thrasher
Fasano	Negron	Wise

Nays—None

## MOTIONS

On motion by Senator Alexander, the House was requested to pass **SB 2108** as passed by the Senate; or agree to include the bill in the budget conference.

## RECESS

On motion by Senator Thrasher, the Senate recessed at 3:16 p.m. to reconvene upon call of the President.

## EVENING SESSION

The Senate was called to order by President Haridopolos at 5:30 p.m. A quorum present—35:

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

## MOTIONS

On motion by Senator Thrasher, the rules were waived and time of recess was extended until 7:00 p.m.

On motion by Senator Alexander, the House was requested to pass **CS for CS for CS for SB 248** as passed by the Senate or agree to include the bill in the budget conference.

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5405 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5405**—A bill to be entitled An act relating to trust funds of the state courts system; amending s. 25.384, F.S.; conforming provisions to changes made by the act; amending s. 28.2401, F.S.; redirecting proceeds from a specified service charge from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 28.241, F.S.; redirecting proceeds from part of a filing fee from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; redirecting the proceeds from certain additional filing fees from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 34.041, F.S.; redirecting the proceeds from a part of a filing fee from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; redirecting the proceeds from a part of an additional filing fee from the Court Education Trust Fund to the State Courts Revenue Trust Fund; amending s. 35.22, F.S.; redirecting the proceeds from a fee from the Mediation/Arbitration Trust Fund to the State Courts Revenue Trust Fund; amending s. 44.108, F.S.; redirecting the proceeds from a part of specified fees from the state courts' Mediation and Arbitration Trust Fund to the State Courts Revenue Trust Fund; deleting an obsolete provision relating to use of moneys in the Mediation and Arbitration Trust Fund; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5405** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5405** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (235662) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5405** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5403 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**CS for HB 5403**—A bill to be entitled An act relating to the Department of Corrections; amending s. 945.0311, F.S.; deleting a reference to the youthful offender basic training program; amending s. 951.231, F.S.; removing a reference to the youthful offender basic training program; amending s. 958.04, F.S.; deleting references to the youthful offender basic training program; repealing s. 958.045, F.S., relating to the youthful offender basic training program; amending s. 943.10, F.S.; revising the definitions of "correctional probation officer" and "part-time correctional probation officer"; amending s. 944.02, F.S.; redefining the term "elderly offender" to remove a reference to the Department of Management Services; creating s. 944.1051, F.S.; authorizing the Department of Corrections to contract with a private entity to supervise offenders on community supervision in Broward and Miami-Dade counties pursuant to the General Appropriations Act; providing contract requirements; providing definitions; amending s. 944.115, F.S.; removing a reference to the Department of Management Services in the definition of the term "employee"; amending ss. 944.72, 944.8041, and 945.215, F.S.; conforming provisions to changes made by the act; amending s. 947.005, F.S.; revising the definition of "department"; amending s. 948.001, F.S.; defining the term "department" for purposes of chapter 948, F.S., relating to probation and community control; amending s. 948.01, F.S.; providing an exception to the prohibition on private entities providing supervision services to certain offenders; providing for a transfer of specified duties, functions, property, and funds from the Department of Management Services to the Department of Corrections; amending ss. 957.04, 957.06, 957.07, 957.08, 957.14, 957.15, and 957.16, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5403** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5403** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (710788) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5403** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5303 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5303**—A bill to be entitled An act relating to biomedical research; amending s. 215.5602, F.S.; deleting provisions that specify amounts of revenue to be appropriated to the James and Esther King Biomedical Research Program, the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and the H. Lee Moffitt Cancer Center and Research Institute; amending s. 381.922, F.S.; conforming a reference; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5303** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5303** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (725582) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5303** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5305 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5305**—A bill to be entitled An act relating to the Correctional Medical Authority; repealing ss. 945.601, 945.602, 945.603, 945.6031, 945.6032, 945.6035, and 945.6036, F.S., relating to the Correctional Medical Authority definitions, creation, powers, reports and surveys, quality management, dispute resolution, and enforcement, respectively; amending ss. 381.90, 766.101, 944.8041, 945.35, 945.6034, and 951.27, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5305** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 5305** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (444234) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5305** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Diaz de la Portilla	Joyner
Alexander	Dockery	Lynn
Altman	Fasano	Margolis
Benacquisto	Flores	Montford
Bennett	Gaetz	Negron
Bogdanoff	Garcia	Norman
Braynon	Gardiner	Oelrich
Dean	Hill	Richter
Detert	Jones	Ring

Sachs	Smith	Thrasher
Simmons	Sobel	Wise
Siplin	Storms	

Nays—None

Vote after roll call:

Yea—Evers

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The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5309 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5309**—A bill to be entitled An act relating to domestic violence; amending s. 39.903, F.S.; revising provisions relating to certification of domestic violence centers; providing specified additional duties for and authority of the Florida Coalition Against Domestic Violence; revising the duties of the Department of Children and Family Services; requiring the department to contract with the Florida Coalition Against Domestic Violence for specified purposes; amending s. 39.904, F.S.; requiring the Florida Coalition Against Domestic Violence rather than the department to make a specified annual report; revising the contents of the report; amending s. 39.905, F.S.; requiring the Florida Coalition Against Domestic Violence rather than the department to perform certain duties relating to certification of domestic violence centers; revising provisions relating to certification of domestic violence centers; requiring a demonstration of need for certification of a new domestic violence center; revising provisions relating to expiration of a center's annual certificate; amending ss. 381.006, 381.0072, 741.281, 741.2902, 741.30, and 741.316, F.S.; conforming provisions to changes made by the act; amending s. 741.32, F.S.; deleting provisions relating to certification of batterers' intervention programs by the Department of Children and Family Services; amending s. 741.325, F.S.; revising the requirements for batterers' intervention programs; repealing s. 741.327, F.S., relating to certification and monitoring of batterers' intervention programs; amending ss. 948.038 and 938.01, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5309** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up *instanter*.

On motion by Senator Alexander, by two-thirds vote **HB 5309** was read the second time by title.

Senator Negron offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (456766) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5309** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—34

Mr. President	Detert	Hill
Alexander	Diaz de la Portilla	Jones
Altman	Dockery	Joyner
Benacquisto	Fasano	Lynn
Bennett	Flores	Margolis
Bogdanoff	Gaetz	Montford
Braynon	Garcia	Negron
Dean	Gardiner	Norman

Richter	Siplin	Thrasher
Ring	Smith	Wise
Sachs	Sobel	
Simmons	Storms	

Nays—1

Oelrich

Vote after roll call:

Yea—Evers

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Nay to Yea—Oelrich

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The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5005 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**CS for HB 5005**—A bill to be entitled An act relating to the deregulation of professions and occupations; amending s. 20.165, F.S.; renaming the Board of Architecture and Interior Design, to conform; deleting provisions establishing the Florida Board of Auctioneers; repealing chapter 326, F.S., relating to the Yacht and Ship Brokers' Act and the licensure of yacht and ship brokers and salespersons; amending ss. 212.06 and 213.053, F.S., to conform; repealing part VI of chapter 468, F.S., relating to the licensure of auctioneers, apprentices, and auction businesses, the Florida Board of Auctioneers, the Auctioneer Recovery Fund, and the conduct of auctions; amending s. 538.03, F.S., to conform; repealing part VII of chapter 468, F.S., relating to the licensure and regulation of talent agencies; repealing part IX of chapter 468, F.S., relating to the licensure and regulation of athlete agents; amending s. 477.0132, F.S.; deleting provisions requiring the registration of persons whose occupation or practice is confined solely to hair braiding, hair wrapping, or body wrapping; providing that the Florida Cosmetology Act does not apply to such persons; amending ss. 477.019, 477.026, 477.0265, and 477.029, F.S., to conform; repealing ss. 481.2131 and 481.2251, F.S., relating to the practice of interior design by registered interior designers and disciplinary proceedings against registered interior designers; deleting provisions relating to the registration of interior designers and the regulation of interior design; amending s. 481.201, F.S.; deleting legislative findings relating to the practice of interior design, to conform; amending s. 481.203, F.S.; revising definitions relating to the practice of architecture and deleting definitions relating to the practice of interior design; specifying that the practice of architecture includes interior design; amending s. 481.205, F.S.; renaming the Board of Architecture and Interior Design, to conform; revising membership of the board; conforming provisions; amending ss. 481.207, 481.209, 481.211, 481.213, 481.215, and 481.217, F.S., to conform; amending s. 481.219, F.S.; deleting provisions permitting the practice of or offer to practice interior design through certain business organizations; deleting provisions requiring certificates of authorization for certain business organizations offering interior design services to the public; conforming provisions; amending ss. 481.221, 481.222, 481.223, 481.229, 481.231, and 553.79, F.S., to conform; amending s. 558.002, F.S.; revising the definition of "design professional" for purposes of provisions relating to alternative dispute resolution of construction defects, to conform; repealing chapter 496, F.S., relating to the registration of professional fundraising consultants and professional solicitors and the regulation of solicitation of charitable contributions and charitable sales promotions; amending ss. 110.181, 316.2045, 320.023, 322.081, 413.033, 550.0351, 550.1647, 741.0305, 775.0861, 790.166, 843.16, and 849.0935, F.S., to conform; repealing s. 500.459, F.S., relating to the regulation of water vending machines and the permitting of water vending machine operators; amending s. 500.511, F.S.; deleting provisions for the deposit of operator permitting fees, the enforcement of the state's water vending machine regulations, penalties, and the preemption of county and municipal water vending machine regulations, to conform; repealing ss. 501.012-501.019, F.S., relating to the registration of health studios and the regulation of health studio services; amending s. 501.165, F.S., to conform; repealing s. 501.143, F.S., relating to the Dance Studio Act, the registration of ballroom dance studios, and the regulation of dance stu-

dio lessons and services; repealing s. 205.1969, F.S., relating to the issuance by counties and municipalities of business tax receipts to health studios and ballroom dance studios, to conform; repealing part IV of chapter 501, F.S., relating to the Florida Telemarketing Act, the licensure of commercial telephone sellers and salespersons, and the regulation of commercial telephone solicitation; repealing s. 205.1973, F.S., relating to the issuance by counties and municipalities of business tax receipts to telemarketing businesses, to conform; amending ss. 501.165, 648.44, 772.102, and 895.02, F.S., to conform; repealing chapter 507, F.S., relating to the registration of movers and moving brokers and the regulation of household moving services; repealing s. 205.1975, F.S., relating to the issuance by counties and municipalities of business tax receipts to movers and moving brokers, to conform; amending s. 509.242, F.S.; revising the license classifications of public lodging establishments for purposes of provisions regulating such establishments; amending s. 509.221, F.S.; conforming a cross-reference; repealing chapter 555, F.S., relating to the regulation of outdoor theaters in which audiences view performances from parked vehicles; repealing part VIII of chapter 559, F.S., relating to the Sale of Business Opportunities Act and the regulation of certain business opportunities; repealing part IX of chapter 559, F.S., relating to the registration of motor vehicle repair shops, the Motor Vehicle Repair Advisory Council, and the regulation of motor vehicle repair; amending ss. 320.27, 445.025, and 713.585, F.S., to conform; repealing part XI of chapter 559, F.S., relating to the Florida Sellers of Travel Act, the registration of sellers of travel, certification of certain business activities, and the regulation of prearranged travel, tourist-related services, tour-guide services, and vacation certificates; repealing s. 205.1971, F.S., relating to the issuance by counties and municipalities of business tax receipts to sellers of travel, to conform; amending ss. 501.604, 501.608, 636.044, and 721.11, F.S., to conform; repealing s. 686.201, F.S., relating to contracts with sales representatives involving commissions; repealing s. 817.559, F.S., relating to the labeling of television picture tubes; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5005** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up *instanter*.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5005** was read the second time by title.

Senator Hays offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (197066) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5005** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise

Nays—2

Fasano	Norman
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Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 5007 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

**CS for HB 5007**—A bill to be entitled An act relating to reducing and streamlining regulations; amending s. 320.90, F.S.; transferring the responsibility for distribution of a motor vehicle consumer's rights pamphlet to a motor vehicle owner from the Department of Agriculture and Consumer Services to the Department of Legal Affairs; amending s. 322.142, F.S.; providing for the release of certain driver license information by the Department of Highway Safety and Motor Vehicles to the Department of Business and Professional Regulation under certain circumstances; amending s. 468.8324, F.S.; providing alternative criteria for obtaining a home inspector's license; removing certain application requirements for a person who performs home inspection services and who qualifies for licensure on or before a specified date; amending s. 468.841, F.S.; exempting licensed home inspectors from certain provisions related to mold assessment; amending ss. 468.8413 and 468.8414, F.S.; revising licensing requirements for mold assessors and remediators; deleting certain training requirements; amending s. 468.8419, F.S.; revising prohibitions and penalties for mold assessors and remediators, to conform; conforming a cross-reference; amending s. 468.8423, F.S.; revising alternative criteria for obtaining a mold assessor's or mold remediator's license; deleting certain education requirements; amending s. 469.006, F.S.; authorizing an asbestos consultant or contractor doing business as a sole proprietorship to be licensed under his or her fictitious name; amending s. 475.611, F.S.; deleting the definition of the term "Uniform Standards of Professional Appraisal Practice"; amending ss. 373.461, 475.25, 475.615, 475.617, 475.6175, and 475.6235, F.S., to conform; amending s. 475.624, F.S.; revising the grounds for discipline of a registered or certified appraiser or applicant for registration or certification, to which penalties apply; prohibiting the violation of professional practice standards established by the Florida Real Estate Appraisal Board; conforming provisions; amending s. 475.6245, F.S., to conform; amending s. 475.628, F.S.; authorizing the board to adopt rules establishing professional practice standards; amending ss. 475.42, 475.626, and 477.0265, F.S.; deleting criminal penalties for persons who violate orders or rules of the Florida Real Estate Commission, persons who violate orders or rules of the Florida Real Estate Appraisal Board or related grounds for disciplinary action, and persons who commit certain violations of the Florida Cosmetology Act or rules of the Board of Cosmetology; amending ss. 455.271, 468.8317, 468.8417, 477.0212, 481.217, 481.315, 489.116, and 489.519, F.S.; revising the continuing education requirements for reactivating a license, certificate, or registration to practice certain regulated professions and occupations; amending s. 473.308, F.S.; revising licensure requirements for certified public accountants and firms; deleting obsolete provisions; revising licensure requirements for certain persons licensed to practice public accounting in another state or territory; amending s. 475.17, F.S.; revising the education requirements for licensed real estate brokers and sales associates; amending s. 481.219, F.S.; providing that a certificate of authorization is not required for an architect doing business as a sole proprietorship under his or her fictitious name; amending s. 481.329, F.S.; providing for applicability of provisions regulating the practice of landscape architecture; amending ss. 493.6107 and 493.6202, F.S.; revising requirements for the method of payment of certain fees; amending s. 493.6401, F.S.; revising terminology for repossessor schools and training facilities; amending s. 493.6402, F.S.; conforming terminology; revising requirements for the method of payment of certain fees; amending s. 493.6406, F.S.; conforming terminology; amending s. 500.03, F.S.; providing and revising definitions for purposes of the Florida Food Safety Act; amending s. 500.121, F.S.; providing penalties for food safety violations committed by cottage food operations; creating s. 500.80, F.S.; exempting cottage food operations from food permitting requirements; limiting the annual gross sales of cottage food operations and the methods by which cottage food products may be sold or offered for sale; requiring certain packaging and labeling of cottage food products; limiting the sale of cottage food products to certain locations; providing for application; authorizing the Department of Agriculture



and Consumer Services to investigate complaints and enter into the premises of a cottage food operation; amending s. 501.160, F.S.; deleting authority for the department to enforce certain prohibitions against unconscionable practices during a declared state of emergency; amending s. 509.032, F.S.; revising which matters relating to the regulation of public lodging establishments and public food service establishments are preempted to the state; amending s. 509.261, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to require certain public lodging establishments and public food service establishments to complete certain remedial educational programs; amending s. 627.711, F.S.; revising training and continuing education requirements for home inspectors conducting hurricane mitigation verification inspections; amending s. 633.537, F.S.; revising the validity period for inactive status certificates of fire protection system contractors; amending ss. 681.102, 681.103, 681.108, 681.109, 681.1095, 681.1096, and 681.112, F.S.; deleting a definition; transferring certain responsibilities of the Division of Consumer Services for the Motor Vehicle Warranty Enforcement Act to the Department of Legal Affairs; conforming provisions; amending s. 681.117, F.S.; deleting provisions providing for the transfer of certain fees and interagency contracting between the Department of Legal Affairs and the Division of Consumer Services, to conform; amending s. 10, ch. 2010-84, Laws of Florida; revising the effective date of provisions relating to the regulation of real estate appraisers and appraisal management companies; providing for retroactive operation under certain circumstances; providing effective dates.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5007** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up *instanter*.

On motion by Senator Alexander, by two-thirds vote **CS for HB 5007** was read the second time by title.

Senator Hays offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (773216) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5007** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5011 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

**HB 5011**—A bill to be entitled An act relating to the Commission on Capital Cases; repealing s. 27.709, F.S., relating to the creation of the Commission on Capital Cases; amending ss. 27.7002, 27.702, 27.710, and 27.711, F.S.; providing for assumption of certain duties of the Commission on Capital Cases by the Justice Administrative Commission; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 5011** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up *instanter*.

On motion by Senator Alexander, by two-thirds vote **HB 5011** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (973772) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5011** as amended was read the third time by title, passed, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7205 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

Robert L. "Bob" Ward, Clerk

**HB 7205**—A bill to be entitled An act relating to trust funds; creating s. 288.120, F.S.; creating the State Economic Enhancement and Development Trust Fund within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 7205** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up *instanter*.

On motion by Senator Alexander, by two-thirds vote **HB 7205** was read the second time by title.

Senator Gaetz offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (541712) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7205** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and immediately certified to the House. The vote on passage was:

Yeas—35

Mr. President	Flores	Oelrich
Alexander	Gaetz	Richter
Altman	Garcia	Ring
Benacquisto	Gardiner	Sachs
Bennett	Hill	Simmons
Bogdanoff	Jones	Siplin
Braynon	Joyner	Smith
Dean	Lynn	Sobel
Detert	Margolis	Storms
Diaz de la Portilla	Montford	Thrasher
Dockery	Negron	Wise
Fasano	Norman	

Nays—None

Vote after roll call:

Yea—Evers

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 7207 and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 7207**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; terminating specified trust funds within the State Treasury; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 17.61, F.S., relating to specified trust funds within the Executive Office of the Governor which must retain moneys therein for investment, with interest appropriated to the General Revenue Fund; eliminating the Economic Development Transportation Trust Fund and the Economic Development Trust Fund from such trust funds; amending s. 201.15, F.S.; revising the distribution of excise taxes on documents; providing for specified distributions of funds to the State Economic Enhancement and Development Trust Fund in the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; eliminating distributions to the State Transportation Trust Fund and the State Housing Trust Fund, and specified uses of such distributions; requiring the Revenue Estimating Conference to maintain separate accounting of specified proceeds; providing for applicability of a specified sufficiency requirement with respect to distributions to the State Economic Enhancement and Development Trust Fund; amending s. 212.0606, F.S.; revising distribution of the proceeds from the rental car surcharge; providing for elimination of the distribution of the proceeds of the surcharge to the Tourism Promotional Trust Fund and the Florida International Trade and Promotion Trust Fund, and for distribution of the proceeds of the surcharge to the State Economic Enhancement and Development Trust Fund; amending ss. 288.095 and 288.120, F.S.; eliminating provisions governing the Economic Development Trust Fund within the Office of Tourism, Trade, and Economic Development of the

Executive Office of the Governor, relating to the Economic Development Incentives Account within the trust fund, approval of applications for certification by the Office of Tourism, Trade, and Economic Development, limitations on the total amount of tax refund claims approved for payment by the office, procedure for payment of claims for tax refunds under the qualified defense contractor and space flight business tax refund program and the tax refund program for qualified target industry businesses, notification to the Legislature by the office of anticipated shortfalls in the amount of funds needed to satisfy claims for tax refunds from the appropriation for the current fiscal year, a required annual report compiled by Enterprise Florida, Inc., restrictions on uses of moneys in the Economic Development Incentives Account of the trust fund, and the adoption of specified rules by the office, and transferring those provisions to the State Economic Enhancement and Development Trust Fund; amending ss. 288.1045, 288.106, 288.107, 288.1089, 288.7771, 288.95155, and 373.461, F.S.; replacing references to the Economic Development Trust Fund in the Executive Office of the Governor with references to State Economic Enhancement and Development Trust Fund, and correcting cross-references, to conform; repealing s. 288.1221, F.S.; which provides legislative intent with respect to the establishment of a public-private partnership to provide policy direction to and technical expertise in the promotion and marketing of state tourism; providing for conforming legislation; providing for assistance to certain legislative substantive committees by the Division of Statutory Revision of the Office of Legislative Services for certain purposes; providing a conditional effective date.

—was referred to the Committee on Budget.

On motions by Senator Alexander, by two-thirds vote **HB 7207** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instanter.

On motion by Senator Alexander, by two-thirds vote **HB 7207** was read the second time by title.

Senator Gaetz offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (177538) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 7207** as amended was read the third time by title, passed by the required constitutional three-fifths vote of the membership, and immediately certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Oelrich
Alexander	Flores	Richter
Altman	Gaetz	Ring
Benacquisto	Garcia	Sachs
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Lynn	Sobel
Detert	Montford	Storms
Diaz de la Portilla	Negron	Thrasher
Dockery	Norman	Wise

Nays—1

Joyner

Vote after roll call:

Yea—Evers

## MOTIONS

On motion by Senator Alexander, the Senate having passed **HB 5405**, **CS for HB 5403**, **HB 5303**, **HB 5305**, **HB 5309**, **CS for HB 5005**, **CS for HB 5007**, **HB 5011**, **HB 7205**, and **HB 7207** with amendments, acceded to the request of the House to include these bills in the budget conference.

## RECESS

On motion by Senator Thrasher, the Senate recessed to reconvene upon the call of the President.

## CALL TO ORDER

The Senate was called to order by President Haridopolos at 6:20 p.m.  
A quorum present—30:

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5401 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5401**—A bill to be entitled An act relating to the Cybercrime Office; repealing s. 16.61, F.S., relating to the operation of the Cybercrime Office by the Department of Legal Affairs; providing for the transfer of the assets and duties of the office to the Department of Law Enforcement; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 5401** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instant.

On motion by Senator Alexander, by two-thirds vote **HB 5401** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (777354) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5401** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Benacquisto	Braynon
Alexander	Bennett	Dean
Altman	Bogdanoff	Detert

Diaz de la Portilla	Jones	Richter
Dockery	Joyner	Simmons
Evers	Margolis	Siplin
Gaetz	Montford	Smith
Garcia	Negron	Storms
Gardiner	Norman	Thrasher
Hill	Oelrich	Wise

Nays—None

The Honorable Mike Haridopolos, President

I am directed to inform the Senate that the House of Representatives has passed HB 5409 as amended and requests that the Senate pass the bill as passed by the House or agree to include the bill in the budget conference.

*Robert L. "Bob" Ward, Clerk*

**HB 5409**—A bill to be entitled An act relating to clerks of the court; transferring the Clerks of the Court Trust Fund to the Department of Revenue; amending s. 11.90, F.S.; providing additional powers and duties of the Legislative Budget Commission; amending s. 28.241, F.S.; revising distributions of filing fees for trial and appellate proceedings; amending s. 28.2455, F.S.; correcting references to the Clerks of the Court Trust Fund; amending s. 28.246, F.S.; conforming provisions relating to the transfer of the Clerks of the Court Trust Fund; amending s. 28.35, F.S.; deleting provisions relating to housing the Florida Clerks of Court Operations Corporation within the Justice Administrative Commission, to specifying the corporation as a budget entity of the commission, and to specifying corporation employees as commission employees; revising membership of the corporation's executive council; specifying that the corporation is subject to certain procurement requirements; revising and expanding the duties and responsibilities of the corporation relating to budget requests; providing definitions; requiring the corporation to submit certain budgets and information to the Legislative Budget Commission; providing duties and responsibilities of the commission; deleting a requirement that clerks of court submit certain financial audit information to the Supreme Court; amending s. 28.36, F.S.; revising required budget procedures for budget requests for funding court-related functions of the clerks of court; revising duties of the corporation; deleting provisions relating to quarterly releases of funds to clerks by the corporation; creating s. 28.365, F.S.; subjecting clerks of the courts to certain procurement requirements and limitations; amending s. 28.37, F.S.; revising requirements for distribution of fines, fees, service charges, and court costs collected by clerks of the court; amending s. 28.43, F.S.; conforming provisions relating to the transfer of the Clerks of the Court Trust Fund; amending s. 34.041, F.S.; revising requirements for distribution of certain filing fees collected by clerks of the court; requiring certain filing fees to be retained as fee income of the office of the clerk of the circuit court; amending s. 43.16, F.S.; deleting provisions including the Florida Clerks of Court Operations Corporation under provisions relating to the Justice Administrative Commission; amending s. 110.205, F.S.; deleting an exemption from career service for and employees of the Florida Clerks of Court Operations Corporation officers; amending s. 142.01, F.S.; conforming provisions to the transfer of the Clerks of the Court Trust Fund; amending s. 213.131, F.S.; specifying the creation of the Clerks of the Court Trust Fund within the Department of Revenue; providing for credit of certain funds to the trust fund; amending s. 216.011, F.S.; deleting a reference to the Florida Clerks of Court Operations Corporation as a state agency; providing for approved budgets of the clerks of the circuit court for a specified period; providing an effective date.

—was referred to the Committee on Budget

On motions by Senator Alexander, by two-thirds vote **HB 5409** was withdrawn from the Committee on Budget, placed on the Special Order Calendar and by unanimous consent taken up instant.

On motion by Senator Alexander, by two-thirds vote **HB 5409** was read the second time by title.

Senator Fasano offered the following amendment which was moved by Senator Alexander and adopted:

**Amendment 1 (686108) (with title amendment)**—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5409** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Dockery	Negron
Alexander	Evers	Norman
Altman	Gaetz	Oelrich
Benacquisto	Garcia	Richter
Bennett	Gardiner	Simmons
Bogdanoff	Hill	Siplin
Braynon	Jones	Smith
Dean	Joyner	Storms
Detert	Margolis	Thrasher
Diaz de la Portilla	Montford	Wise

Nays—None

## MOTIONS

On motion by Senator Alexander, the Senate having passed **HB 5401** and **HB 5409** with amendments acceded to the request of the House to include these bills in the budget conference.

## MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Thrasher, by two-thirds vote **SB 2056** was withdrawn from the Committee on Rules.

On motion by Senator Thrasher, by two-thirds vote **SB 420**, **SB 568**, **SB 570**, **CS for SB 572**, **CS for SB 600**, **SB 602**, **SB 604**, and **CS for SB 818** were withdrawn from the Committee on Rules; **CS for SB 2078** was withdrawn from the Committee on Governmental Oversight and Accountability and referred to the Committee on Budget; **SB 1330**, **CS for SB 1836**, **CS for SB 274**, **CS for SB 886**, **SB 510**, **CS for SB 1318**, **SB 550**, **SB 1390**, **SB 1494**, **CS for SB 2010**, **CS for SB 1254**, **CS for SB 1696**, **SB 1620**, **CS for SB 584**, **CS for SB 1410**, **CS for SB 822**, **SB 942**, **SB 1990**, **CS for SB 1388**, **CS for SB 1714**, **CS for SB 512**, **CS for SB 2076**, **SB 1252**, **CS for SB 1286**, **CS for SB 1316**, **CS for SB 1332**, **CS for SB 1428**, **CS for SB 1568**, **CS for SB 1592**, **SB 1826**, and **CS for SB 1916** were also referred to the Committee on Rules; and **CS for SB 1744** was withdrawn from the Committee on Rules and referred to the Committees on Budget; and Rules.

## REPORTS OF COMMITTEES

The Committee on Governmental Oversight and Accountability recommends the following pass: **SB 874**; **SB 1182** with 1 amendment

**The bills were referred to the Committee on Budget under the original reference.**

The Committee on Governmental Oversight and Accountability recommends the following pass: **SB 502**; **SB 604**; **SJR 1664**

**The bills were referred to the Committee on Rules under the original reference.**

The Committee on Banking and Insurance recommends a committee substitute for the following: **SB 1836**

The Committee on Budget Subcommittee on Finance and Tax recommends committee substitutes for the following: **SB 376**; **CS for SB 582**

The Committee on Budget Subcommittee on Health and Human Services Appropriations recommends a committee substitute for the following: **CS for SB 1972**

The Committee on Governmental Oversight and Accountability recommends committee substitutes for the following: **SB 102**; **CS for SB 520**; **SB 1382**; **CS for SB 1616**

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Budget under the original reference.**

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: **SB 374**

**The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: **SB 106**

The Committee on Rules recommends a committee substitute for the following: **CS for CS for SB 408**

**The bills with committee substitute attached were placed on the Calendar.**

The Special Master on Claim Bills recommends the following not pass: **SB 42**

**The bill was referred to the Committee on Rules under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### ADDITIONAL REFERENCES

By Senator Benacquisto—

**SB 42**—A bill to be entitled An act for the relief of Eric Brody by the Broward County Sheriff's Office; providing for an appropriation to compensate Eric Brody for injuries sustained as a result of the negligence of the Broward County Sheriff's Office; authorizing the Sheriff of Broward County, in lieu of payment, to execute to Eric Brody and his legal guardians an assignment of all claims that the Broward County Sheriff's Office has against its insurer arising out of the insurer's handling of the claim against the sheriff's office; clarifying that such assignment does not impair the ability or right of the assignees to pursue the final judgment and cost judgment against the insurer; providing a limitation on the payment of fees and costs related to the claim against the Broward County Sheriff's Office and an exception to that limitation as to any assigned claims brought against the insurer; providing an effective date.

—was also referred to the Committee on Rules.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

**CS for SB 102**—A bill to be entitled An act relating to the Agency for Enterprise Information Technology; transferring, renumbering, and amending s. 14.204, F.S.; renaming the agency the Department of Information Technology; requiring that the department director have a degree from an accredited postsecondary institution in certain fields, be appointed by the Governor, and serve at the pleasure of the Governor; establishing divisions within the department; amending ss. 17.0315,

110.205, 215.322, and 216.235, F.S.; conforming provisions to changes made by the act; repealing s. 282.0041, F.S., to delete reference to the agency; amending s. 282.0055, F.S.; conforming provisions to changes made by the act; amending s. 282.0056, F.S.; specifying proposals that must be included in the department's annual work plan; amending ss. 282.201, 282.203, 282.204, 282.205, 282.3055, 282.315, 282.318, 282.33, 282.34, 287.057, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; requiring the department and state agencies to identify all positions and resources related to information technology by a certain date; requiring the department to submit a plan to the Governor and Legislature transferring all information technology operations to the department; transferring the agency from the Executive Office of the Governor to the department by a type two transfer; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

**CS for SB 106**—A bill to be entitled An act relating to public records; defining the term “publicly owned performing arts center”; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Bogdanoff—

**CS for SB 374**—A bill to be entitled An act relating to health and human services contracts; amending s. 287.0575, F.S.; creating the Health and Human Services Contract Resource Council within the Department of Management Services; requiring the department to provide administrative support; providing meeting times and duties of the council; providing membership of the council; establishing the duties of several state agencies, including the Department of Juvenile Justice and the Agency for Health Care Administration with regard to contracts for health and human services; revising the deadline dates for state agencies to notify their contract service providers and for contract service providers to provide their contract managers a list of their health and human service contracts; requiring the Health and Human Service Contract Resource Council to designate a lead administrative coordinator for each contract service provider; conforming provisions to changes made by the act; revising the responsibilities of the designated lead administrative coordinator; requiring each agency contracting for health and human services to submit an annual report to the council; requiring the council to provide an executive summary of the reports to the Governor and the Legislature; requiring the council to make recommendations to the Legislature regarding legislation or rulemaking authority that would promote interdepartmental collaboration and program integration; amending s. 287.057, F.S.; exempting services provided by an eligible lead community-based provider from being subject to the state competitive bidding process; providing an effective date.

By the Committee on Budget Subcommittee on Finance and Tax; and Senators Gaetz and Negron—

**CS for SB 376**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 125.0104, F.S.; providing definitions relating to the tourist development tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; amending s. 125.0108, F.S.; providing definitions relating to the tourist impact tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; amending s. 212.03, F.S.; providing definitions relating to the transient

rentals tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 212.0305, F.S.; providing definitions relating to the convention development tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 213.30, F.S.; authorizing the Department of Revenue to compensate county governments for providing certain information to the department; specifying a payment amount; amending ss. 1 and 3, chapter 67-930, Laws of Florida, as amended; providing definitions relating to a municipal resort tax; providing requirements for separate statement of the tax; providing an exception; providing for construction; providing an effective date.

By the Committees on Rules; Budget Subcommittee on General Government Appropriations; and Banking and Insurance; and Senators Richter and Hays—

**CS for CS for CS for SB 408**—A bill to be entitled An act relating to property and casualty insurance; amending s. 215.555, F.S.; revising the definition of “losses,” relating to the Florida Hurricane Catastrophe Fund, to exclude certain losses; providing applicability; amending s. 215.5595, F.S.; authorizing an insurer to renegotiate the terms a surplus note issued before a certain date; providing limitations; amending s. 624.407, F.S.; revising the amount of surplus funds required for domestic insurers applying for a certificate of authority after a certain date; amending s. 624.408, F.S.; revising the minimum surplus that must be maintained by certain insurers; authorizing the Office of Insurance Regulation to reduce the surplus requirement under specified circumstances; amending s. 624.4095, F.S.; excluding certain premiums for federal multiple-peril crop insurance from calculations for an insurer's gross writing ratio; requiring insurers to disclose the gross written premiums for federal multiple-peril crop insurance in a financial statement; amending s. 624.424, F.S.; revising the frequency that an insurer may use the same accountant or partner to prepare an annual audited financial report; amending s. 626.854, F.S.; providing limitations on the amount of compensation that may be received by a public adjuster for a reopened or supplemental claim; providing statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; providing a definition for the term “written advertisement”; requiring that a disclaimer be included in any public adjuster's written advertisement; providing requirements for such disclaimer; requiring certain persons who act on behalf of an insurer to provide notice to the insurer, claimant, public adjuster, or legal representative for an onsite inspection of the insured property; authorizing the insured or claimant to deny access to the property if notice is not provided; requiring the public adjuster to ensure prompt notice of certain property loss claims; providing that an insurer be allowed to interview the insured directly about the loss claim; prohibiting the insurer from obstructing or preventing the public adjuster from communicating with the insured; requiring that the insurer communicate with the public adjuster in an effort to reach an agreement as to the scope of the covered loss under the insurance policy; prohibiting a public adjuster from restricting or preventing persons acting on behalf of the insured from having reasonable access to the insured or the insured's property; prohibiting a public adjuster from restricting or preventing the insured's adjuster from having reasonable access to or inspecting the insured's property; authorizing the insured's adjuster to be present for the inspection; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring that a public adjuster apprentice complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; providing requirements for a public adjuster contract; creating s. 626.70132, F.S.; requiring that notice of a claim, supplemental claim, or reopened claim be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the terms “supplemental claim” or “reopened claim”; providing applicability; repealing s. 627.0613(4), F.S., relating to the requirement that the consumer advocate for the Chief Financial Officer prepare an annual report card for each personal residential property insurer; amending s. 627.062, F.S.; requiring that the office

issue an approval rather than a notice of intent to approve following its approval of a file and use filing; authorizing the office to disapprove a rate filing because the coverage is inadequate or the insurer charges a higher premium due to certain discriminatory factors; extending the expiration date for making a "file and use" filing; prohibiting the Office of Insurance Regulation from, directly or indirectly, impeding the right of an insurer to acquire policyholders, advertise or appoint agents, or regulate agent commissions; revising the information that must be included in a rate filing relating to certain reinsurance or financing products; deleting a provision that prohibited an insurer from making certain rate filings within a certain period of time after a rate increase; deleting a provision prohibiting an insurer from filing for a rate increase within 6 months after it makes certain rate filings; deleting obsolete provisions relating to legislation enacted during the 2003 Special Session D of the Legislature; providing for the submission of additional or supplementary information pursuant to a rate filing; amending s. 627.0629, F.S.; deleting obsolete provisions; deleting a requirement that the Office of Insurance Regulation propose a method for establishing discounts, debits, credits, and other rate differentials for hurricane mitigation by a certain date; requiring the Financial Services Commission to adopt rules relating to such debits by a certain date; deleting a provision that prohibits an insurer from including an expense or profit load in the cost of reinsurance to replace the Temporary Increase in Coverage Limits; conforming provisions to changes made by the act; amending s. 627.351, F.S.; renaming the "Citizens Property Insurance Corporation" as the "Taxpayer-Funded Property Insurance Corporation"; requiring policies issued by the corporation to include a provision that prohibits policyholders from engaging the services of a public adjuster until after the corporation has tendered an offer; limiting an adjuster's fee for a claim against the corporation; renaming the "high-risk account" as the "coastal account"; revising the conditions under which the Citizens policyholder surcharge may be imposed; providing that members of the Citizens Property Insurance Corporation Board of Governors are not prohibited from practicing in a certain profession if not prohibited by law or ordinance; limiting coverage for damage from sinkholes after a certain date and providing that the corporation must require repair of the property as a condition of any payment; prohibiting board members from voting on certain measures; exempting sinkhole coverage from the corporation's annual rate increase requirements; deleting a requirement that the board reduce the boundaries of certain high-risk areas eligible for wind-only coverages under certain circumstances; amending s. 627.3511, F.S.; conforming provisions to changes made by the act; amending s. 627.4133, F.S.; revising the requirements for providing an insured with notice of nonrenewal, cancellation, or termination of personal lines or commercial residential property insurance; authorizing an insurer to cancel policies after 45 days' notice if the Office of Insurance Regulation determines that the cancellation of policies is necessary to protect the interests of the public or policyholders; authorizing the Office of Insurance Regulation to place an insurer under administrative supervision or appoint a receiver upon the consent of the insurer under certain circumstances; creating s. 627.43141, F.S.; providing definitions; requiring the delivery of a "Notice of Change in Policy Terms" under certain circumstances; specifying requirements for such notice; specifying actions constituting proof of notice; authorizing policy renewals to contain a change in policy terms; providing that receipt of payment by an insurer is deemed acceptance of new policy terms by an insured; providing that the original policy remains in effect until the occurrence of specified events if an insurer fails to provide notice; providing intent; amending s. 627.7011, F.S.; requiring the insurer to pay the actual cash value of an insured loss for a dwelling, less any applicable deductible; requiring a policyholder to enter into a contract for the performance of building and structural repairs unless waived by the insurer; restricting insurers and contractors from requiring advance payments for repairs and expenses; requiring the insurer to offer coverage under which the insurer is obligated to pay replacement costs; authorizing the insurer to offer coverage that limits the initial payment for personal property to the actual cash value of the property to be replaced and to require the insured to provide receipts for purchases; requiring the insurer to provide notice of this process in the insurance contract; prohibiting an insurer from requiring the insured to advance payment; amending s. 627.70131, F.S.; specifying application of certain time periods to initial or supplemental property insurance claim notices and payments; providing legislative findings with respect to 2005 statutory changes relating to

sinkhole insurance coverage and statutory changes in this act; amending s. 627.706, F.S.; authorizing an insurer to limit coverage for catastrophic ground cover collapse to the principal building and to have discretion to provide additional coverage; allowing the deductible to include costs relating to an investigation of whether sinkhole activity is present; revising definitions; defining the term "structural damage"; providing an insurer with discretion to provide a policyholder with an opportunity to purchase an endorsement to sinkhole coverage; placing a 2-year statute of repose on claims for sinkhole coverage; amending s. 627.7061, F.S.; conforming provisions to changes made by the act; repealing s. 627.7065, F.S., relating to the establishment of a sinkhole database; amending s. 627.707, F.S.; revising provisions relating to the investigation of sinkholes by insurers; deleting a requirement that the insurer provide a policyholder with a statement regarding testing for sinkhole activity; providing a time limitation for demanding sinkhole testing by a policyholder and entering into a contract for repairs; requiring all repairs to be completed within a certain time; providing exceptions; providing a criminal penalty on a policyholder for accepting rebates from persons performing repairs; amending s. 627.7073, F.S.; revising provisions relating to inspection reports; providing that the presumption that the report is correct shifts the burden of proof; revising the reports that an insurer must file with the clerk of the court; requiring the policyholder to file certain reports as a precondition to accepting payment; requiring the professional engineer responsible for monitoring sinkhole repairs to issue a report and certification to the property owner and file such report with the court; providing that the act does not create liability for an insurer based on a representation or certification by the engineer; amending s. 627.7074, F.S.; revising provisions relating to neutral evaluation; requiring evaluation in order to make certain determinations; requiring that the neutral evaluator be allowed access to structures being evaluated; providing grounds for disqualifying an evaluator; allowing the Department of Financial Services to appoint an evaluator if the parties cannot come to agreement; revising the timeframes for scheduling a neutral evaluation conference; authorizing an evaluator to enlist another evaluator or other professionals; providing a time certain for issuing a report; providing that certain information is confidential; revising provisions relating to compliance with the evaluator's recommendations; providing that the evaluator is an agent of the department for the purposes of immunity from suit; requiring the department to adopt rules; amending s. 627.711, F.S.; deleting the requirement that the insurer pay for verification of a uniform mitigation verification form that the insurer requires; amending s. 627.712, F.S.; conforming provisions to changes made by the act; providing effective dates.

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By the Committees on Governmental Oversight and Accountability; and Military Affairs, Space, and Domestic Security; and Senators Bennett, Gaetz, Sachs, Altman, and Richter—

**CS for CS for SB 520**—A bill to be entitled An act relating to state memorials; creating s. 265.003, F.S.; providing legislative intent; establishing the Florida Veterans' Hall of Fame on the Plaza Level of the Capitol Building; providing for the Department of Veterans' Affairs to administer the Florida Veterans' Hall of Fame; authorizing the department to establish a nomination and selection process and an induction ceremony; providing an effective date.

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By the Committees on Budget Subcommittee on Finance and Tax; and Community Affairs; and Senator Detert—

**CS for CS for SB 582**—A bill to be entitled An act relating to local business taxes; amending s. 205.022, F.S.; defining the term "independent contractor"; creating s. 205.066, F.S.; exempting an individual engaging in or managing a business in an individual capacity as an employee from requirements related to local business taxes; specifying that an individual licensed and operating as a broker associate or sales associate is an employee; specifying that an independent contractor is not an employee; prohibiting a local governing authority from holding an exempt employee liable for the failure of a principal or employer to comply with certain obligations related to a local business tax or requiring an exempt employee to take certain actions related to a local business tax; prohibiting a local governing authority from requiring a principal or employer to provide personal or contact information for

exempt individuals in order to obtain a local business tax receipt; providing that the exemption does not apply to a business tax imposed on an individual employee by a municipality or county pursuant to a resolution or ordinance adopted before October 13, 2010; amending s. 205.194, F.S.; deleting obsolete provisions; requiring a person applying for or renewing a local business tax receipt to engage in or manage a business or occupation regulated by the Florida Supreme Court or a state agency to exhibit certain documentation before such receipt may be issued; authorizing online renewals as a means of providing electronic certifications that meet such requirement; deleting a requirement that the Department of Business and Professional Regulation provide certain professional regulation information to local officials who issue business tax receipts; deleting a provision prohibiting a local official who issues business tax receipts from renewing a license under certain circumstances; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Bennett—

**CS for SB 1382**—A bill to be entitled An act relating to rulemaking; amending s. 120.54, F.S.; requiring that an agency include in its notice of intended rulemaking a statement as to whether the proposed rule will require legislative ratification; clarifying that certain proposed rules are effective only when ratified by the Legislature; amending s. 120.541, F.S.; reducing the time before an agency files a rule for adoption within which the agency must notify the person who submitted a lower cost alternative and the Administrative Procedures Committee; amending s. 120.56, F.S.; reducing the time in which a substantially affected person may seek an administrative determination of the invalidity of a rule after the statement or revised statement of estimated regulatory costs is available; providing an effective date.

By the Committees on Governmental Oversight and Accountability; and Higher Education; and Senators Flores and Garcia—

**CS for CS for SB 1616**—A bill to be entitled An act relating to the Dan Marino Foundation Florida Vocational College; establishing the Dan Marino Foundation Florida Vocational College in Broward County as a public residential postsecondary school for certain students who have developmental disabilities; providing funding for the school through the Department of Education; requiring that the school comply with the laws and rules applicable to state agencies unless otherwise provided by law; requiring that the school provide educational programs and services; requiring that the Auditor General conduct annual audits of the school's accounts and records; creating a board of trustees; providing membership, terms, and specifying powers and duties of the board; requiring that the board submit legislative budget requests for operations and fixed capital outlay; requiring that the board provide for the content and custody of student and employee personnel records; authorizing the board to provide legal services and reimbursement of expenses for officers and employees of the board; requiring notice and a public meeting under certain circumstances; requiring that all employees and applicants for employment with the board undergo personnel screening and security background investigations; providing a penalty for failure to disclose certain material facts and for use of confidential information for certain purposes; authorizing the employment of campus police and providing powers, duties, and qualifications; requiring reporting of on-campus crime statistics; amending s. 1000.04, F.S.; providing that the Dan Marino Foundation Florida Vocational College is a component of the delivery of public education within Florida's K-20 education system; amending s. 1001.20, F.S.; authorizing investigations by the Office of Inspector General within the Department of Education; providing an effective date.

By the Committee on Banking and Insurance; and Senator Diaz de la Portilla—

**CS for SB 1836**—A bill to be entitled An act relating to captive insurers; amending s. 624.402, F.S.; exempting certain life or health insurers covering nonresidents from having to obtain a certificate of authority; amending s. 628.901, F.S.; providing definitions; repealing s.

628.903, F.S., relating to the definition of the term “industrial insured captive insurer”; amending s. 628.905, F.S.; requiring a captive insurer to obtain a license and to file evidence that a person or firm with whom it intends to conduct business is reputable; providing that a certificate of insurance for an association captive insurer does not exceed the total funds of the association members; creating s. 628.908, F.S.; requiring a licensed captive insurer to maintain its principal place of business in this state and hold an annual meeting in this state; amending s. 628.909, F.S.; applying additional provisions of the insurance code to captive insurers; providing an effective date.

By the Committees on Budget Subcommittee on Health and Human Services Appropriations; and Health Regulation; and Senators Negron, Gaetz, Garcia, and Hays—

**CS for CS for SB 1972**—A bill to be entitled An act relating to health and human services; amending s. 163.387, F.S.; exempting hospital districts from the requirement to provide funding to a community redevelopment agency; creating s. 200.186, F.S.; requiring hospital district ad valorem revenues dispersed to other entities to be spent only on health care services; amending s. 393.0661, F.S.; conforming provisions to changes made by the act; amending s. 409.016, F.S.; conforming provisions to changes made by the act; creating s. 409.16713, F.S.; providing for medical assistance for children in out-of-home care and adopted children; specifying how those services will be funded under certain circumstances; providing legislative intent; providing a directive to the Division of Statutory Revision; transferring, renumbering, and amending s. 624.91, F.S.; decreasing the administrative cost and raising the minimum loss ratio for health plans; increasing compensation to the insurer or provider for dental contracts; requiring the Florida Healthy Kids Corporation to include use of the school breakfast and lunch application form in the corporation's plan for publicizing the program; conforming provisions to changes made by the act; amending ss. 409.813, 409.8132, 409.815, 409.818, 154.503, and 408.915, F.S.; conforming provisions to changes made by the act; amending s. 1006.06, F.S.; requiring school districts to collaborate with the Florida Kidcare program to use the application form for the school breakfast and lunch programs to provide information about the Florida Kidcare program and to authorize data on the application form be shared with state agencies and the Florida Healthy Kids Corporation and its agents; authorizing each school district the option to share the data electronically; requiring interagency agreements to ensure that the data exchanged is protected from unauthorized disclosure and is used only for enrollment in the Florida Kidcare program; amending s. 409.901, F.S.; revising definitions relating to Medicaid; amending s. 409.902, F.S.; revising provisions relating to the designation of the Agency for Health Care Administration as the state Medicaid agency; specifying that eligibility and state funds for medical services apply only to citizens and certain noncitizens; providing exceptions; providing a limitation on persons transferring assets in order to become eligible for certain services; amending s. 409.9021, F.S.; revising provisions relating to conditions for Medicaid eligibility; increasing the number of years a Medicaid applicant forfeits entitlements to the Medicaid program if he or she has committed fraud; providing for the payment of monthly premiums by Medicaid recipients; providing exemptions to the premium requirement; requiring applicants to agree to participate in certain health programs; prohibiting a recipient who has access to employer-sponsored health care from obtaining services reimbursed through the Medicaid fee-for-service system; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; creating s. 409.9022, F.S.; specifying procedures to be implemented by a state agency if the Medicaid expenditures exceed appropriations; amending s. 409.903, F.S.; conforming provisions to changes made by the act; deleting obsolete provisions; amending s. 409.904, F.S.; conforming provisions to changes made by the act; renaming the “medically needy” program as the “Medicaid nonpoverty medical subsidy”; narrowing the subsidy to cover only certain services for a family, persons age 65 or older, or blind or disabled persons; revising the criteria for the agency's assessment of need for private duty nursing services; amending s. 409.905, F.S.; conforming provisions to changes made by the act; requiring prior authorization for home health

services; amending s. 409.906, F.S.; providing for a parental fee based on family income to be assessed against the parents of children with developmental disabilities served by home and community-based waivers; prohibiting the agency from paying for certain psychotropic medications prescribed for a child; conforming provisions to changes made by the act; amending ss. 409.9062 and 409.907, F.S.; conforming provisions to changes made by the act; amending s. 409.908, F.S.; modifying the nursing home patient care per diem rate to include dental care, vision care, hearing care, and podiatric care; directing the agency to seek a waiver to treat a portion of the nursing home per diem as capital for self-insurance purposes; requiring primary physicians to be paid the Medicare fee-for-service rate by a certain date; deleting the requirement that the agency contract for transportation services with the community transportation system; authorizing qualified plans to contract for transportation services; deleting obsolete provisions; conforming provisions to changes made by the act; amending s. 409.9081, F.S.; revising copayments for physician visits; requiring the agency to seek a waiver to allow the increase of copayments for nonemergency services furnished in a hospital emergency department; amending s. 409.912, F.S.; requiring Medicaid-eligible children who have open child welfare cases and who reside in AHCA area 10 to be enrolled in specified capitated managed care plans; expanding the number of children eligible to receive behavioral health care services through a specialty prepaid plan; repealing provisions relating to a provider lock-in program; eliminating obsolete provisions and updating provisions; conforming cross-references; amending s. 409.915, F.S.; conforming provisions to changes made by the act; transferring, renumbering, and amending s. 409.9301, F.S.; conforming provisions to changes made by the act; amending s. 409.9126, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; creating s. 409.961, F.S.; providing for statutory construction of provisions relating to Medicaid managed care; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; establishing the Medicaid managed care program as the statewide, integrated managed care program for medical assistance and long-term care services; directing the agency to apply for and implement waivers; providing for public notice and comment; providing for a limited managed care program if waivers are not approved; creating s. 409.964, F.S.; requiring all Medicaid recipients to be enrolled in Medicaid managed care; providing exemptions; prohibiting a recipient who has access to employer-sponsored health care from enrolling in Medicaid managed care; requiring the agency to develop a process to allow the Medicaid premium that would have been received to be used to pay employer premiums; requiring that the agency allow opt-out opportunities for certain recipients; providing for voluntary enrollment; creating s. 409.965, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; requiring the agency to issue an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; establishing selection criteria for plan selection; limiting the number of plans in a region; authorizing the agency to conduct negotiations if funding is insufficient; specifying circumstances under which the agency may issue a new invitation to negotiate; providing that the Children's Medical Service Network is a qualified plan; directing the agency to assign Medicaid provider agreements for a limited time to a provider services network participating in the managed care program in a rural area; creating s. 409.966, F.S.; providing managed care plan contract requirements; establishing contract terms; providing for annual rate setting; providing for contract extension under certain circumstances; establishing access requirements; requiring the agency to establish performance standards for plans; requiring each plan to publish specified measures on the plan's website; providing for program integrity; requiring plans to provide encounter data; providing penalties for failure to submit data; requiring plans to accept electronic claims and electronic prior authorization requests for medication exceptions; requiring plans to provide the criteria for approval and reasons for denial of prior authorization requests; providing for prompt payment; providing for payments to noncontract emergency providers; requiring a qualified plan to post a surety bond or establish a letter of credit or a deposit in a trust account; requiring plans to establish a grievance resolution process; requiring plan solvency; requiring guaranteed savings; providing costs and penalties for early termination of contracts or reduction in enrollment levels; requiring the agency to terminate qualified plans for non-compliance under certain circumstances; requiring plans to adopt and

publish a preferred drug list; creating s. 409.967, F.S.; providing for managed care plan accountability; requiring plans to use a uniform method of accounting for medical costs; providing for achieved savings rebates; authorizing plans to limit providers in networks; mandating that certain providers be offered contracts during the first year; authorizing plans to exclude certain providers in certain circumstances; requiring plans to include certain providers; requiring plans to monitor the quality and performance history of providers; requiring plans to hold primary care physicians responsible for certain activities; requiring plans to offer certain programs and procedures; requiring plans to pay primary care providers the same rate as Medicare by a certain date; providing for conflict resolution between plans and providers; creating s. 409.968, F.S.; providing for managed care plan payments on a per-member, per-month basis; requiring the agency to establish a methodology to ensure the availability of certain types of payments to specified providers; requiring the development of rate cells; requiring that the amount paid to the plans for supplemental payments or enhanced rates be reconciled to the amount required to pay providers; requiring that plans make certain payments to providers within a certain time; requiring the agency to develop a methodology and request a state plan amendment to ensure the availability of certified public expenditures in the Medicaid managed care program to support certain noninstitutional teaching faculty providers; creating s. 409.969, F.S.; authorizing Medicaid recipients to select any plan within a region; providing for automatic enrollment of recipients by the agency in specified circumstances; providing criteria for automatic enrollment; authorizing disenrollment under certain circumstances; providing for a grievance process; defining the term "good cause" for purposes of disenrollment; requiring recipients to stay in plans for a specified time; providing for reenrollment of recipients who move out of a region; creating s. 409.970, F.S.; requiring the agency to maintain an encounter data system; providing requirements for prepaid plans to submit data in a certain format; requiring the agency to analyze the data; requiring the agency to test the data for certain purposes by a certain date; creating s. 409.971, F.S.; providing for managed care medical assistance; providing deadlines for beginning and finalizing implementation; creating s. 409.972, F.S.; establishing minimum services for the managed medical assistance; providing for optional services; authorizing plans to customize benefit packages; requiring the agency to provide certain services to hemophiliacs; creating s. 409.973, F.S.; providing for managed long-term care; providing deadlines for beginning and finalizing implementation; providing duties for the Department of Elderly Affairs relating to the program; creating s. 409.974, F.S.; providing recipient eligibility requirements for managed long-term care; listing programs for which certain recipients are eligible; specifying that an entitlement to home and community-based services is not created; creating s. 409.975, F.S.; establishing minimum services for managed long-term care; creating s. 409.976, F.S.; providing criteria for the selection of plans to provide managed long-term care; creating s. 409.977, F.S.; providing for managed long-term care plan accountability; requiring the agency to establish standards for specified providers; creating s. 409.978, F.S.; requiring that the agency operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; requiring the program to assign plan enrollees to a level of care; providing for the evaluation of dually eligible nursing home residents; transferring, renumbering, and amending ss. 409.91207, 409.91211, and 409.9122, F.S.; conforming provisions to changes made by the act; updating provisions and deleting obsolete provisions; transferring and renumbering ss. 409.9123 and 409.9124, F.S.; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elders and disabled adults receiving long-term care Medicaid services if qualified plans become available; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; eliminating provisions requiring reports; amending s. 39.407, F.S.; requiring a motion by the Department of Children and Family Services to provide psychotropic medication to a child 10 years of age or younger to include a review by a child psychiatrist; providing that a court may not authorize the administration of such medication absent a finding of compelling state interest based on



the review; amending s. 216.262, F.S.; providing that limitations on an agency's total number of positions does not apply to certain positions in the Department of Health; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; requiring that blood establishments disclose specified information on their Internet website; providing an exception for certain hospitals; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose the information; providing that the civil penalty accrues to the state and requiring that it be deposited into the General Revenue Fund; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit or not-for-profit organizations when determining service fees for blood or blood components; amending s. 400.023, F.S.; requiring the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home; limiting noneconomic damages in a wrongful death action against the nursing home; amending s. 400.0237, F.S.; revising provisions relating to punitive damages against a nursing home; authorizing a defendant to proffer admissible evidence to refute a claimant's proffer of evidence for punitive damages; requiring the trial judge to conduct an evidentiary hearing and the plaintiff to demonstrate that a reasonable basis exists for the recovery of punitive damages; prohibiting discovery of the defendant's financial worth until the judge approves the pleading on punitive damages; revising definitions; amending s. 408.7057, F.S.; requiring that the dispute resolution program include a hearing in specified circumstances; providing that the dispute resolution program established to resolve claims disputes between providers and health plans does not provide an independent right of recovery; requiring that the conclusions of law in the written recommendation of the resolution organization identify certain information; providing a directive to the Division of Statutory Revision; creating ss. 458.3167 and 459.0078, F.S.; providing for an expert witness certificate for allopathic and osteopathic physicians licensed in other states or Canada which authorizes such physicians to provide expert medical opinions in this state; providing application requirements and timeframes for approval or denial by the Board of Medicine and Board of Osteopathic Medicine, respectively; requiring the boards to adopt rules and set fees; providing for expiration of a certificate; amending ss. 458.331 and 459.015, F.S.; providing grounds for disciplinary action for providing misleading, deceptive, or fraudulent expert witness testimony relating to the practice of medicine and of osteopathic medicine, respectively; providing for construction with respect to the doctrine of incorporation by reference; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Health to adopt rules regarding the distribution of prescription drugs by blood establishments; amending s. 626.9541, F.S.; authorizing insurers to offer rewards or incentives to health benefit plan members to encourage or reward participation in wellness or health improvement programs; authorizing insurers to require plan members not participating in programs to provide verification that their medical condition warrants nonparticipation; providing application; amending s. 627.4147, F.S.; deleting a requirement that a medical malpractice insurance contract include a clause authorizing an insurer to admit liability and make a settlement offer if the offer is within policy limits without the insured's permission; amending s. 766.102, F.S.; providing that a physician who is an expert witness in a medical malpractice presuit action must meet certain requirements; amending s. 766.104, F.S.; requiring a good faith demonstration in a medical malpractice case that there has been a breach of the standard of care; amending s. 766.106, F.S.; clarifying that a physician

acting as an expert witness is subject to disciplinary actions; amending s. 766.1115, F.S.; conforming provisions to changes made by the act; creating s. 766.1183, F.S.; defining terms; providing for the recovery of civil damages by Medicaid recipients according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; requiring the Department of Children and Family Services to provide notice to program applicants; creating s. 766.1184, F.S.; defining terms; providing for the recovery of civil damages by certain recipients of primary care services at primary care clinics receiving specified low-income pool funds according to a modified standard of care; providing for recovery of certain excess judgments by act of the Legislature; providing requirements of health care providers receiving such funds in order for the liability provisions to apply; requiring notice to low-income pool recipients; amending s. 766.203, F.S.; requiring the presuit investigations conducted by the claimant and the prospective defendant in a medical malpractice action to provide grounds for a breach of the standard of care; amending s. 768.28, F.S.; revising a definition; providing that certain colleges and universities that own or operate an accredited medical school and their employees and agents providing patient services in a teaching hospital pursuant to an affiliation agreement or contract with the teaching hospital are considered agents of the hospital for the purposes of sovereign immunity; providing definitions; requiring patients of such hospitals to be provided with notice of their remedies under sovereign immunity; providing an exception; providing that providers and vendors providing services to certain persons with disabilities on behalf of the state are agents of the state for the purposes of sovereign immunity; providing legislative findings and intent with respect to including certain colleges and universities and their employees and agents under sovereign immunity; providing a statement of public necessity; amending s. 1004.41, F.S.; clarifying provisions relating to references to the corporation known as Shands Teaching Hospital and Clinics, Inc.; clarifying provisions regarding the purpose of the corporation; authorizing the corporation to create corporate subsidiaries and affiliates; providing that Shands Teaching Hospital and Clinics, Inc., Shands Jacksonville Medical Center, Inc., Shands Jacksonville Healthcare, Inc., and any not-for-profit subsidiary of such entities are instrumentalities of the state for purposes of sovereign immunity; repealing s. 409.9121, F.S., relating to legislative intent concerning managed care; repealing s. 409.919, F.S., relating to rule authority; repealing s. 624.915, F.S., relating to the Florida Healthy Kids Corporation operating fund; renumbering and transferring ss. 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 414.29, 163.464, 163.465, 163.466, 402.81, and 402.82, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; directing the Agency for Health Care Administration to submit a reorganization plan to the Legislature; providing for the state's withdrawal from the Medicaid program under certain circumstances; providing for severability; providing an effective date.

## REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Governmental Oversight and Accountability; and Senator Ring—

**CS for SB 106**—A bill to be entitled An act relating to public records; defining the term "publicly owned performing arts center"; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; amending s. 272.136, F.S.; creating an exemption from public-records requirements for information identifying a donor or prospective donor to the direct-support organization of the Legislative Research Center and Museum at the Historic Capitol; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was placed on the Calendar.

By the Committee on Commerce and Tourism; and Senator Lynn—

**CS for SB 1626**—A bill to be entitled An act relating to television picture tubes; repealing ss. 817.559 and 817.56, F.S., relating to television picture tubes; providing an effective date.

—was placed on the Calendar.

#### **CORRECTION AND APPROVAL OF JOURNAL**

The Journal of April 6 was corrected and approved.

#### **CO-INTRODUCERS**

Senators Altman—CS for SB 234, CS for SB 236, SB 850, CS for SB 1574, CS for SB 1650; Evers—SM 954; Fasano—SB 676; Flores—SB 1138; Hays—SB 1190; Rich—SR 2080; Richter—CS for SB 520, SJR 592; Sachs—CS for CS for SB 530, SB 1190

#### **RECESS**

On motion by Senator Thrasher, the Senate recessed at 6:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene upon call of the President.

# JOURNAL OF THE SENATE

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April 7, 2011

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